



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, February 12, 2013
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Proclamation supporting the Prescription Drug Abuse Reduction Initiative, sponsored by MATFORCE. (Chuck Wynn, Police Chief)
- b)** Recognition of Jack Owen and Gwen Rowitch for their service on the Planning and Zoning Commission. (Jami Lewis, Town Clerk)

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to speaker remarks.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a) Status report regarding the implementation of HB 2826, pertaining to consolidated elections. (Jami Lewis, Town Clerk)
- b) Report regarding a proposed small construction project for a storage area in the South Campus. (Jami Lewis, Town Clerk)

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

- a) Consideration and possible action to appoint Tiffany Resendez, Human Resources Analyst, as the Town's alternate member on the Yavapai Combined Trust Board, effective immediately. (Cecilia Watts, General Services Director)
- b) Consideration and possible action to authorize the Police Department to apply for, accept, and expend funds from an Arizona Game and Fish Department grant of up to \$50,000 for continued development of the shooting range. If a grant is awarded, funds will be disbursed from Grant Funds, with no match required by the Town. (Chuck Wynn, Police Chief)
- c) Consideration and possible action to approve the Arizona Peace Officer Standards and Training Board Peace Officer Training Fund Grant Agreement in the amount of \$30,000 for enhancing the law enforcement shooting range. Funds to be disbursed from Grants fund, with no match required by the Town. (Chuck Wynn, Police Chief)

7) ACTION ITEMS

- a) ZC Case No. 12-003: Consideration and possible action to adopt Ordinance No. 13-764 approving a zone change from "AR-5" Agriculture/Residential (5 Acre Minimum) to "SR-1" Single Family Residential (1 Acre Minimum) for an approximately 2-acre parcel located on the south side of Center Street, at 801 E. Center Street and identified as Assessor's Parcel Number 306-29-002M. Applicant/Property Owner: Ronnie L. Bunker. (Dava Hoffman, Planning Consultant)

Recommended Action: Adopt Ordinance No. 13-764 approving the zone change from "AR-5" to "SR-1" for Assessor's Parcel Number 306-29-002M.

- b) Consideration and possible action to accept the Annual Audited Financial Statements and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2012, as prepared by Hinton Burdick, CPAs & Advisors. (Joe Duffy, Finance Director)

Recommended Action: Accept the Annual Audited Financial Statements and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2012, as prepared by Hinton Burdick, CPAs & Advisors.

- c) Consideration and possible action to: (i) hold a public hearing to take public comment on the proposed water and wastewater rate structure; and (ii) approve Resolution No. 13-1005 to change and establish certain water and wastewater fees in accordance with scenario 2A of the 2012 Water and Wastewater Rate Study prepared by Economists.com. (Ron Gritman, Public Works Director)

Recommended Action: (i) Hold Public Hearing; (ii) Approve Resolution No. 13-1005 to change and establish certain water and wastewater fees in accordance with scenario 2A of the 2012 Water and Wastewater Rate Study prepared by Economists.com.

- d) Consideration and possible action to approve the January 8, 2013 Regular Meeting minutes. (Absent: Councilmember Hatch) (Jami Lewis, Town Clerk)

Recommended Action: Approve the January 8, 2013 Regular Meeting minutes.

- e) Consideration and possible action to approve the January 22, 2013 regular meeting minutes. (Absent: Councilmember Echols) (Jami Lewis, Town Clerk)

Recommended Action: Approve the January 22, 2013 regular meeting minutes.

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

- a) Council may vote to hold an executive session pursuant to A.R.S. §§ 38-431.03(A)(1) to discuss the employment, assignment, appointment, promotion, demotion, dismissal, and/or salaries of the office of town attorney. (Mayor & Council)
- b) Consideration and possible action regarding town attorney appointment.

9) ADJOURNMENT

Dated this 7th day of February, 2013.

By: **Jami C. Lewis, Town Clerk**

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 636-1787 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____

Time: _____

By: _____
Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **2. a.**

Meeting Date: 02/12/2013
Contact Person: Chuck Wynn, Police Chief
Phone: 928-636-2646 x-1258
Department: Police
Item Type: Presentation Only
**Estimated length
of Staff Presentation:** 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Proclamation supporting the Prescription Drug Abuse Reduction Initiative, sponsored by MATFORCE. (Chuck Wynn, Police Chief)

Attachments

Proclamation



PROCLAMATION

Prescription Drug Abuse Reduction Initiative



Whereas, citizens of the city/town of Chino Valley: are affected by prescription drug abuse; and

Whereas, the U.S. Centers for Disease Control declared prescription drug abuse an epidemic with far reaching effects upon the citizens of the Town of Chino Valley: impacting individuals, families, friends—adults and children alike; and

Whereas, it is estimated that 40 deaths per day nationwide are due to prescription drugs, exceeding the number of deaths related to heroin and cocaine combined and for the first time in history, drug poisoning deaths are the number one cause of accidental deaths in America; and

Whereas, prescription drug abuse is directly associated with crimes against persons and property, physical illness, addiction, accidental death, economic loss, child abuse, destruction of families, driving while impaired, and drug-related vehicular collisions; and

Whereas, the resources and capacity of the courts and detention system, hospital emergency rooms and providers of behavioral health services are severely stretched by the proliferation of prescription drug abuse within the Town of Chino Valley; and

Whereas, prescription drug abuse is a community problem that is best addressed through a variety of strategies that bring together education, prevention, treatment and criminal justice resources in a coordinated, individualized approach; and

Whereas, Yavapai County has been selected by the Governor's Office for Children, Youth and Families and the Arizona Criminal Justice Commission to implement the Prescription Drug Reduction Initiative and whereas the Town of Chino Valley has united against prescription drug abuse in partnership with MATFORCE; and

Whereas, under the Prescription Drug Abuse Reduction Initiative, Yavapai County and MATFORCE have implemented strategies to reduce prescription drug misuse and the consequences associated with this epidemic to improve the health of our communities and families; and

Now, Therefore, I, Chris Marley, Mayor of the Town of Chino Valley, do hereby proclaim support for the Prescription Drug Abuse Reduction Initiative in Chino Valley, Arizona.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 12th day of February, 2013.

Chris Marley, Mayor

ATTEST: _____
Jami C. Lewis, Town Clerk





TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 5. a.

Meeting Date: 02/12/2013
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Report Only
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Status report regarding the implementation of HB 2826, pertaining to consolidated elections.
 (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

As the new legislative session has started, municipalities and counties are taking another look at HB 2826. While some entities were calling for the repeal of HB 2826, the legislature has made it clear that they have no intention of repealing it, but they will address related portions of the law that will be affected by the new legislation. Topics of recent discussion are:

- Term lengths for Councils - The legislature has not indicated whether or not they will dictate a preference as to shortening or lengthening terms, but they are being asked to absolve municipalities of any legal repercussions from whichever method is chosen.
- Some municipalities have now elected to determine their Council's term lengths without any specific direction from the legislature. Three municipalities have submitted sample ordinances to AMCA; of the three, two are lengthening terms and one is shortening terms. Changes to the Town Code will also have to be made.
- Home Rule - The legislature is being asked to allow municipalities whose Home Rule extensions expire in Spring 2014 to be able to extend it for another six months. There is no prohibition for placing a Home Rule extension on the ballot in less than four years.

In addition, staff recently spoke with Yavapai County Elections about how the legislation will affect elections in the County. Below is what the County anticipates as a result of the legislation:

- The Town and County will no longer be able to hold vote-by-mail elections, except for special elections held other than the fall general elections. Polling place elections are typically more expensive than vote-by-mail elections.

- Consolidating local elections with those of the county, state and nation will require many more ballot styles. (As of now, the County anticipates having 1,000 ballot styles for the fall 2014 election for all the county's entites.) Due to this, the Town will no longer be able to continue providing replacement ballots for its citizens, which will eliminate the discount the Town receives for assisting the county with ballot replacements.
 - The typical one-page ballot will most likely go to two, and in some cases, three, pages. Local issues, which are at the end of the ballot, may not get addressed by voters, if they get discouraged from the lengthy ballots.
 - The County may not be able to continue using Vote Centers, forcing them back to using traditional precinct polling places, which were more expensive.
 - Voter turnout for primary elections will most likely go down. This is due to the fact that currently, all voters get a primary ballot for local measures; however, in a consolidated election where there are partisan races, independent voters must request a ballot for a particular party, and many of those on the permanent early voter list may elect not to do so, and thus be a missed vote for local matters.
 - The bottom line is that the Town may experience lower voter turn-out and it should expect it's election costs for the fall 2014 election to go up substantially.
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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 5. b.

Meeting Date: 02/12/2013
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Report Only
Estimated length of Staff Presentation: 5 minutes
Physical location of item: South Campus, 202 N. State Route 89

AGENDA ITEM TITLE:

Report regarding a proposed small construction project for a storage area in the South Campus.
 (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

Currently the shed being used to store inactive records for all departments is unable to hold all the records needing to be stored. In addition, it is not appropriate to store permanent or historical records in the storage shed due to their needing a safe and controlled environment. Since the administration departments moved to the South Campus, staff has been using a room at the North Campus for storage of permanent and inactive records. As the North Campus is being prepared for remodeling for the Library expansion, staff needs a new home for these records. An approximately 14' x 7' space at the South Campus' southeast corner, to the east of the entry way, has been identified as a good location to store these records. Staff estimates that enclosing this space will cost about \$12,000, and Town crews will perform the work before the start of their spring/summer schedules. The \$12,000 will come from contingency funds and staff will bring the actual expenditure back to Council for approval once staff receives the final construction estimate.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. a.

Meeting Date: 02/12/2013
Contact Person: Cecilia Watts, General Services Director
 Phone: 928-636-2646 x-1202
Department: General Services
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to appoint Tiffany Resendez, Human Resources Analyst, as the Town's alternate member on the Yavapai Combined Trust Board, effective immediately.

RECOMMENDED ACTION:

Appoint Tiffany Resendez, Human Resources Analyst, as the alternate member on the Yavapai Combined Trust Board, effective immediately.

SITUATION AND ANALYSIS:

In February 2012, Council appointed Vera Smith, Finance Director, as the alternate for the Yavapai Combined Trust Board. Vera has left employment with the Town and staff is recommending the Human Resources Analyst, Tiffany Resendez, be the Town's alternate representative for the Trust Board. Currently, Cecilia Watts, General Services Director, is the voting member.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. b.

Meeting Date: 02/12/2013
Contact Person: Chuck Wynn, Police Chief
 Phone: 928-636-2646 x-1258
Department: Police
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to authorize the Police Department to apply for, accept, and expend funds from an Arizona Game and Fish Department grant of up to \$50,000 for continued development of the shooting range.

RECOMMENDED ACTION:

Authorize the Police Department to apply for, accept, and expend funds from an Arizona Game and Fish Department Grant of up to \$50,000 for continued development of the shooting range.

SITUATION AND ANALYSIS:

The Arizona Game and Fish Department has grant funding available for shooting range development. The Police Department has applied for and received grants in 2010, 2011 and 2012. The grant would allow for the continued development of the range project. Grants are for a maximum of \$50,000 and if approved, the amount of the grant will be determined by AGFD.

Fiscal Impact

Fiscal Impact?: yes

If Yes, Budget Code: 07-60-5444

Available: \$50,000.00

Funding Source:

If a grant is awarded, funds will be disbursed from Grant Funds with no local match.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. c.

Meeting Date: 02/12/2013
Contact Person: Chuck Wynn, Police Chief
 Phone: 928-636-2646 x-1258
Department: Police
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve the Arizona Peace Officer Standards and Training Board Peace Officer Training Fund Grant Agreement in the amount of \$30,000 for enhancing the law enforcement shooting range.

RECOMMENDED ACTION:

Accept grant from Arizona Peace Officer Standards and Training Board for the enhancement of the shooting range, in the amount of \$30,000.

SITUATION AND ANALYSIS:

Acceptance of a grant from Arizona Peace Officer Standards and Training Board, solely for the purpose of enhancing the property that will become a firearms range owned by the Town of Chino Valley.

The enhancement to the property will include completing dirt work, enhancing drainage and installing security fencing necessary to make the range useable. Total amount granted is \$30,000.00 from the Board, with the Town of Chino Valley and other partners contributing approximately \$90,000; bringing the total for this phase of the project to approximately \$120,000.00.

Fiscal Impact

Fiscal Impact?: YES
If Yes, Budget Code: 07-30-6014
Available: \$30,000.00

Funding Source:

Funds to be disbursed from Grants fund, with no match required by the Town.

Attachments

AZPOST Grant Agreement



AZ POST Contract #2013-001

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

**PEACE OFFICER TRAINING FUND
GRANT AGREEMENT**

This agreement is made under the authority of A.R.S. §41-1825(A) and §41-1822 (D)(2) and (3).

GRANTEE:

Chino Valley Police Department
Chief Charles Wynn
1020 W. Palomino Road
Chino Valley, AZ 85323

GRANT AMOUNT:

\$30,000.00

PROJECT DESCRIPTION:

The Arizona Peace Officer Standards and Training Board (Board) agrees to pay the Grantee the above shown sum from the Peace Officer Training Fund, subject to the conditions provided herein, solely for the purpose of enhancing the property that will become a firearms range owned by the Town of Chino Valley located at 2025 Santa Fe Trail, Chino Valley, AZ 86323.

- * The enhancement to the property will include completing dirt work, enhancing drainage and installing security fencing necessary to make the range useable. Total amount granted is \$30,000.00 from the Board, with the Town of Chino Valley and other partners contributing approximately \$90,000.00; bringing the total for this phase of the project to approximately \$120,000.00

GENERAL CONDITIONS:

The Grantee agrees:

1. That the Peace Officer Training Fund (POTF) monies will not be used to supplant state or local funds;
2. To expend the POTF monies only for the purpose(s) stated above;
3. To reimburse the Board for any unauthorized or ineligible expenditures and to return any grant amounts in excess of that expended pursuant to the special conditions;
4. To comply with A.R.S. §35-214 and 35-215 with respect to retention and production of records for inspection and audit for a period of five years after completion of the contract;
5. That this agreement may be canceled without penalty or further obligation pursuant to A.R.S. §38-511;
6. That in the event of a dispute, after exhaustion of all administrative remedies, arbitration will be used to the extent required by A.R.S. §12-1518, except as may be required by other applicable statutes;
7. To comply with Executive Order 99-4, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act;
8. To comply with all procurement statutes, ordinances, rules or policies that may apply to Grantee in the procurement of any goods or services related to this Grant;
9. That the Grantee is acting as an independent contractor and will indemnify and hold the Board harmless for the actions of the Grantee's employees;
10. That every payment obligation of the Board under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the Board at the end of the period for which funds are available. No liability shall accrue to the Board in the event this provision is exercised, and the Board shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph;
11. That this agreement may be canceled by the Grantee prior to expending Grant funds upon written notice to the Board and any POTF funds shall be returned to the Board;
12. To assign to the State any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to the Grantee toward fulfillment of this agreement; and
13. That this is a grant of funds only and is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership or formal business association or organization of any kind among the parties.

SPECIAL CONDITIONS:

1. The parties agree that the funds disbursed for this Grant are funds approved by the Board.
2. Grantee shall use these funds solely for the purpose of enhancing the property that will become a firearms range owned by the Town of Chino Valley located at 2025 Santa Fe Trail, Chino Valley, AZ 86323. The enhancement to the property will include completing dirt work, enhancing drainage and installing security fencing necessary to make the range useable.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 02/12/2013
Contact Person: Mary Brasher, Administrative Clerk
 Phone: 928-636-2646 x-1216
Department: Development Services
Item Type: Action-Presentation
Estimated length of staff presentation: 10 minutes
Physical location of item: 801 E. Center Street

AGENDA ITEM TITLE:

ZC Case No. 12-003: Consideration and possible action to adopt Ordinance No. 13-764 approving a zone change from "AR-5" Agriculture/Residential (5 Acre Minimum) to "SR-1" Single Family Residential (1 Acre Minimum) for an approximately 2-acre parcel located on the south side of Center Street, at 801 E. Center Street and identified as Assessor's Parcel Number 306-29-002M. Applicant/Property Owner: Ronnie L. Bunker

RECOMMENDED ACTION:

Adopt Ordinance No. 13-764 approving the zone change from "AR-5" to "SR-1" for Assessor's Parcel Number 306-29-002M.

SITUATION AND ANALYSIS:

Currently the applicant resides on the west half of the approximately 2-acre site. The applicant requests the rezoning to SR-1 to enable her to split the parcel into two lots of approximately 1-acre each in size. This would permit an additional residence to be built on the east portion.

General Plan Conformance:

The General Plan Future Land Use Designation is "COMMERCIAL". If the property is rezoned to "SR-1" Single Family Residential, the property will be in better conformance with the General Plan than the existing zoning.

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

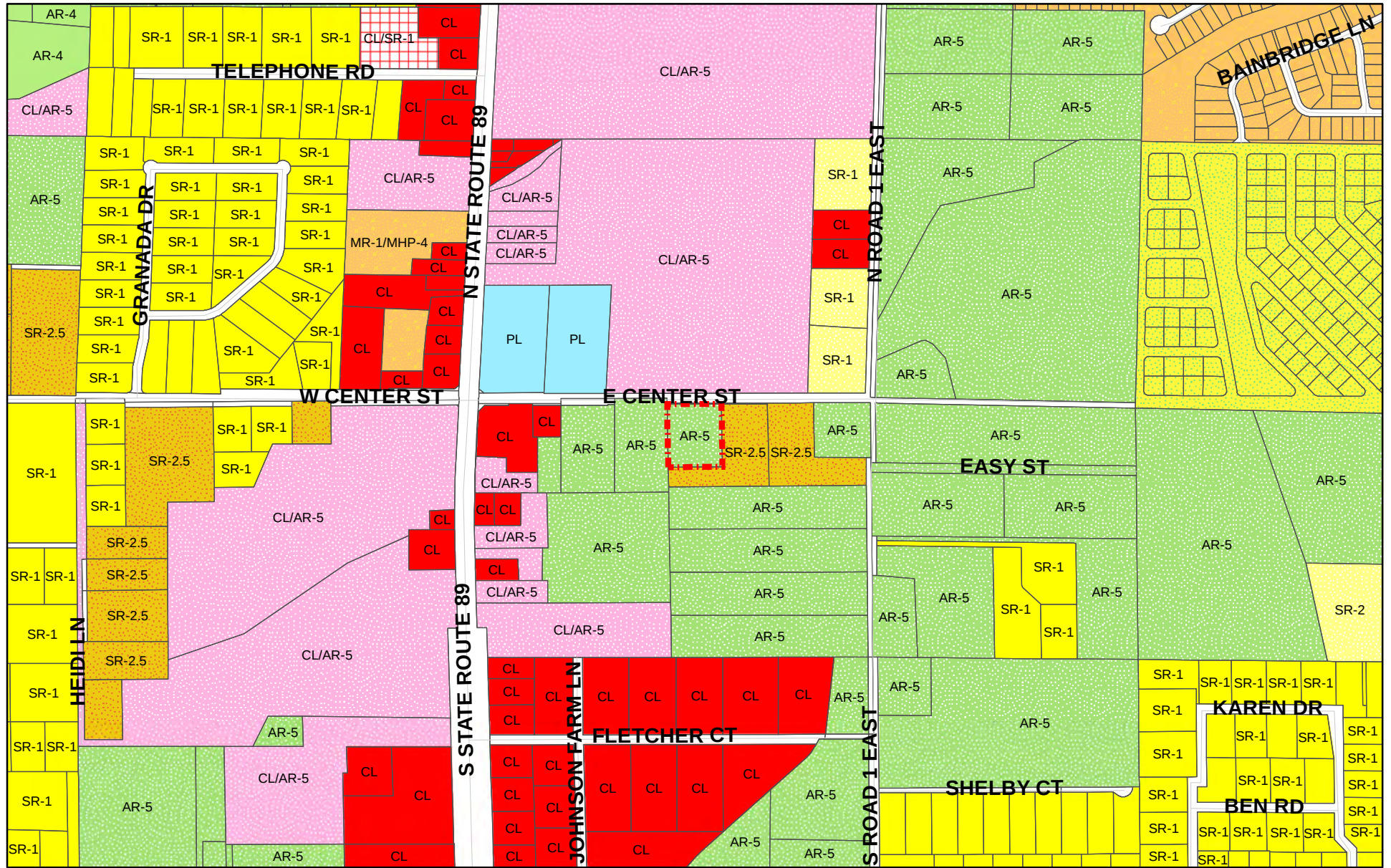
Location Map

Future Land Use Map

P&Z Commission Packet

Ordinance 13-764

BUNKER APN 306-29-002M
Rezone from AR-5 to SR-1
RZ# 12-003



Chino_Parcels110512
306-29-002M
Streets

Zoning

	AR-5
	CL
	CL/AR-5

CL/SR-1
CH
CH/AR-5
I

	PL	
	SR-2.5	
	SR-1	
	SR-2	

- SR-0.16
- MR-1/MHP-4
- State
- AR-4

 AR-36
 SR-1.6
 OS
 MR1/CL

-  MR1
-  MHP-4
-  I/CH

1 inch

The Town
omission

= 700 feet



assumes no responsibility for any errors or omissions in this mapping material.

ability for errors,
product.

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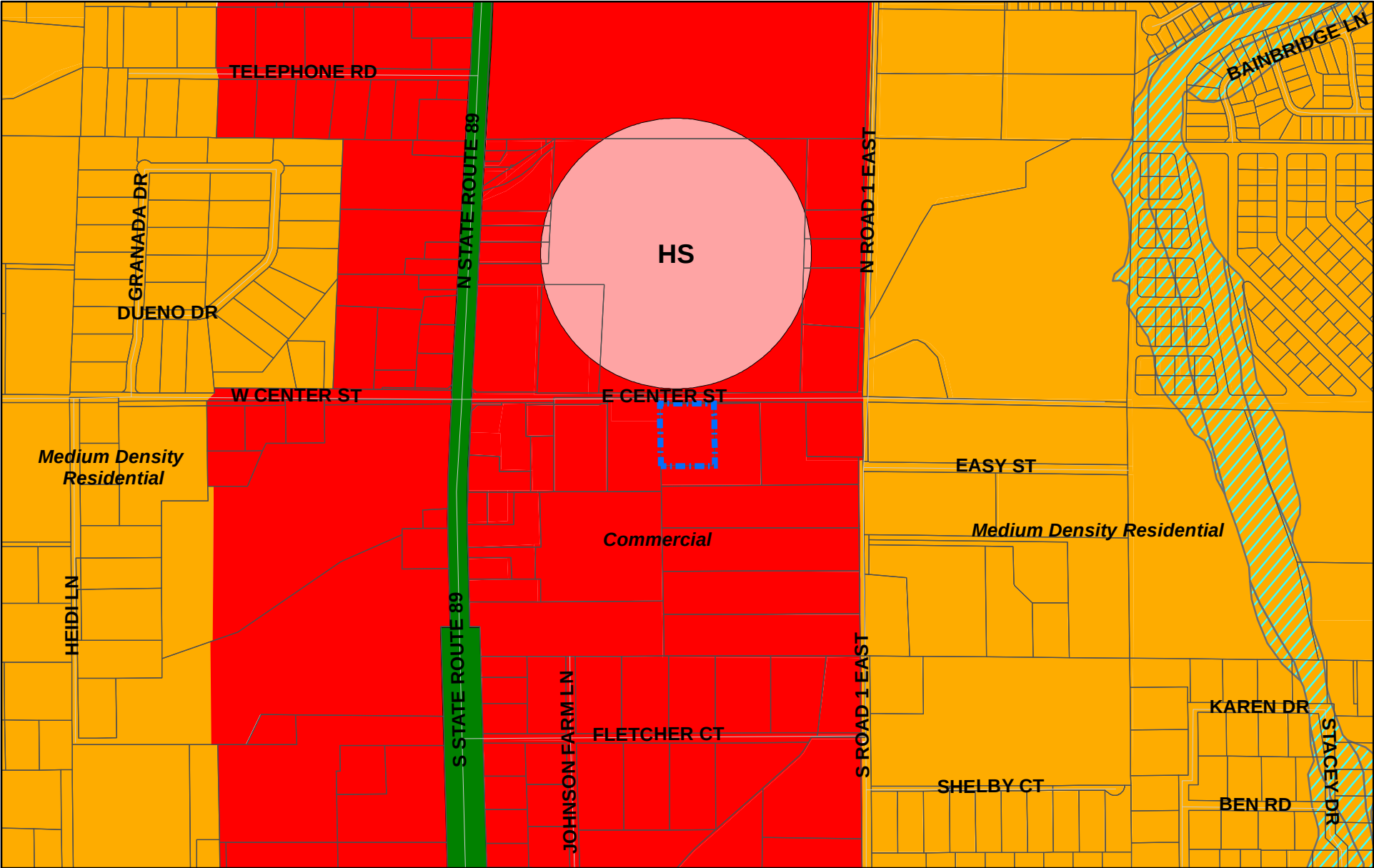
1 inch = 700 feet



The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

BUNKER APN 306-29-002M
REZONE AR-5 to SR-1
RZ 12-003

GENERAL PLAN - AMENDED
FUTURE LAND USE MAP



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1 inch = 700 feet

The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.



DEVELOPMENT SERVICES DEPARTMENT
1982 N VOSS DRIVE #203
CHINO VALLEY, AZ 86323



TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-6937

NOTICE OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

January 15, 2013 6 p.m.

Pursuant to ARS 38-431-02, notice is hereby given to the members of the Chino Valley Planning and Zoning Commission and the general public that the Chino Valley Planning and Zoning Commission will hold a regular meeting open to the public on Tuesday, January 15, 2013 at 6:00 p.m. in the new Chino Valley South Campus building, located at 202 N. State Route 89, Chino Valley, Arizona 86323.

The Agenda for the meeting is as follows:

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
 - 4A. **December 4, 2012**
5. **STAFF REPORT**
6. **PUBLIC HEARING**
 - 6A. **For consideration, discussion and possible recommendation to the Town Council regarding a requested zone change from "AR-5" Agricultural/Residential (5 Acre Minimum) to "SR-1" Single Family Residential (1 Acre Minimum). The location of the proposed zone change is 801 E. Center Street, Assessor's Parcel Number's 306-29-002M (Approximately 2 Acres). Applicant/Owner: Ronnie L. Bunker**
7. **DISCUSSION ITEM**
 - 7A. **Possible revisions to Section 4.25, Wireless Communication Tower, of the Unified Development Ordinance (UDO).**
8. **PUBLIC COMMENTS**
9. **ADJOURN**

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona.

Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427. The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice), 636-1787 (TDD) or use the AZ Statewide Relay Service at 1-800-367-8939 (TDD) to request an accommodation to participate in this meeting.

TOWN OF CHINO VALLEY
PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
Chino Valley South Campus
202 N. State Route 89
January 15, 2013
6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

Meeting was called to order at 6:00 p.m.

Members Present: Phil Rice, Chairperson
Garland Miner, Vice Chairperson
Jack Owen, Commissioner
Charles Merritt, Commissioner
Gwen Rowitsch, Commissioner
Florence Sloan, Commissioner

Staff Absent: Michael Edmonds, Commissioner

Staff Present: Robert Smith, Town Manager
Dava Hoffman, Planning Consultant
Mary Brasher, Administrative Technician

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4A. For consideration, discussion, and possible action regarding the regular meeting minutes of December 4, 2012.

Commissioner Sloan MOVED, seconded by Vice Chair Miner to approve the regular meeting minutes of December 4, 2012.

MOTION CARRIED 5-0 Commissioners Merritt abstained

5. STAFF REPORT: Dava Hoffman introduced herself as the Planning Consultant who will be filling in due to the departure of the previous Planner. Dava informed the Commission that she would be going over all the General Plan Committee (GPC) activities at the Joint Study Session on January 31, 2013.

6. PUBLIC HEARING: Chairman Rice opened the public hearing.

6A: For consideration, discussion and possible recommendation to the Town Council regarding a requested zone change from AR-5 Agricultural Residential 5 Acre minimum to SR-1 Single Family Residential 1 Acre minimum. The property is located at 801 E. Center Street, Chino Valley, Arizona APN: 306-29-002M and consists of approximately 2 Acres. Applicant/Owners: Ronnie L. Bunker.

Dava Hoffman gave a brief overview of the request for a zone change from AR-5 Agricultural Residential 5 Acre minimum to SR-1 Single Family Residential 1 Acre minimum. Ms. Hoffman described the zoning of the neighboring properties, and stated that this request complies with the Future Land Use Map of Commercial. The applicant intends to split the property and the new lot would be utilized for residential use. The neighborhood meeting met with no objections, and support was voiced by one neighbor; additionally staff has received three letters in support of this application. Ms. Hoffman noted that staff recommends approval of this zone change and stated for the record the findings and stipulations as they apply to this request. Ms. Hoffman explained that staff supports a waiver from the standard dedication of a fifty foot wide half street due to the existing dedication and its alignment with the adjacent properties on the South side of Center St.

Chairman Rice opened the meeting for public comment. No comments heard. Chairman Rice closed the public comment section of the hearing.

Commissioner Rowitsch MOVED, seconded by Commissioner Miner to recommend to the Town Council approval of the request to rezone the property from AR-5 Agricultural Residential 5 Acre minimum to SR-1 Single Family Residential 1 Acre minimum with the findings and stipulations as noted in the staff report.

MOTION CARRIED: 6-0

7A. Discussion of possible revisions to Section 4.25, Wireless Communication Tower, of the Unified Development Ordinance (UDO).

Town Manager Robert Smith, gave a brief presentation illustrating the need for revising the telecommunications section of the Unified Development Ordinance (UDO). Mr. Smith stated that the current text in this section is old and needs to be updated. Mr. Smith gave the Commission information about the Communications Industry and the need for this infrastructure and how this industry tries to get the maximum amount of margin they can from the towers they own; meaning the fewer towers they own, and the more tenants they have on each tower, the more margin they make. Mr. Smith stated that he has worked in this industry and knows there are specific goals as to how many tenants they have on one tower and promote that rather than building new towers.

Mr. Smith commented on the importance for communication access throughout the Town. This service helps power the public emergency response, public meter reading, and to be consistent with the FCC's mandate that this service be ubiquitous across the country. Considering the health and safety of Communications Towers and the wording on that, has a little focus on public health and towers and how there is a need to go back to the original legal basis for our execution of the police power. The legal basis for that is the public safety welfare and convenience rather than going outside the limits of that.

Mr. Smith commented that the Town also did not want towers that would require lighting, but have to offer the opportunity to build more towers to cover the service area. Preserving our "Dark Sky" ordinance is a priority. He briefly went through some other areas of the current text in the UDO and gave his suggestions for wording. He discussed non-conforming properties and ways to pursue uses on those properties that would comply with the Future Land Use Map.

Mr. Smith also talked about projects that can be processed by staff if the project complies with all requirements. Developers who wish to develop something that is one hundred percent consistent with the codes, they should not have to go to a discretionary process when they are doing what the Town wants them to do. If a developer wants something that is not in line with the code, they would then need to come to the Commission and Council for approval. Items that comply with the Towns code can be approved through an administrative tract.

Mr. Smith then talked about the different heights that could be allowed in the different zoning districts, how to regulate them so they don't impact residential, and how to create an incentive to have towers in the areas that the Town wants. He commented that the Town will be building a database of where Communications Towers are located, so that the Town can stay informed.

Discussion continued with Commissioners about requiring applicants who wish to build these towers to submit alternative site analysis report detailing potential sites that have been investigated by the applicant and the reason why those alternative sites won't work. The Town code has something similar, but it's not put together well. Mr. Smith also suggested that the Town currently has a nuisance abatement code and felt that should be applied equally throughout the Town rather than having a separate noise code.

Mr. Smith continued his presentation explaining that height was not the only priority in revising this section of the UDO. He went on to inform the Commission about towers that are engineered to fold onto themselves rather than fall over, and felt that the current setback requirements were more aggressive than it needs to be, and there needs to be more flexibility in this requirement. He didn't feel it was appropriate for the Town to dictate floor space for equipment shelters since they are already state approved and come in standard sizes. He also commented on the text in the Co-Location section of the UDO,

and didn't feel it was appropriate for the Town to get involved in the private business decisions made between two private business parties and thinks that wording should be removed.

Mr. Smith concluded his presentation in talking about current non-conforming towers and how it would be better to intensify the use of those towers rather than building new. He explained the difference between a mono pole and a lattice tower and the efficiency of each. He also felt it was important for the Town to be kept up to date on ownership of these towers in the event of an emergency.

The Commissioners felt more flexibility for administrative approval was needed in the code for these towers. Commission members also thought a one hundred foot (100') height was not unreasonable. They agreed to have a special session on January 29, 2013 to vote on an amendment to this section of the UDO. (Note: The January 29, 2013 meeting was cancelled due to advertisement requirements).

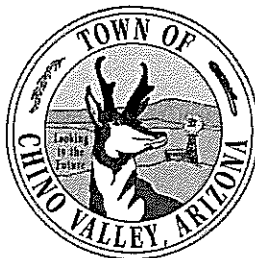
Chairman Rice closed the public portion of the meeting.

7. **PUBLIC COMMENTS:** One citizen spoke that he didn't agree with allowing a 100' tower, and felt that these should come to the Commission for approval.
8. **ADJOURN:** 7:10 p.m.

Phil Rice Chairperson Date:

ITEM 6A

DEVELOPMENT SERVICES DEPARTMENT
1982 N. VOSS DR. #203
CHINO VALLEY, AZ 86323



TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-6937

PLANNING COMMISSION OF THE TOWN OF CHINO VALLEY, ARIZONA

Staff Report

January 15, 2013

PUBLIC NOTICE LEGAL AD

ZC-12-003: NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Planning and Zoning Commission at the Town's South Campus Building located at 202 N. State Route 89, at 6:00 p.m. on Tuesday, January 15, 2013. This hearing will be conducted for consideration, discussion and possible recommendation to the Town Council regarding a requested zone change from "AR-5" Agricultural/Residential (5 Acre Minimum) to "SR-1" Single Family Residential (1 Acre Minimum). The location of the proposed zone change is 801 E. Center Street, Assessor's Parcel Number's 306-29-002M (Approximately 2 Acres). Applicant/Owner: Ronnie L. Bunker

A. LOCATION: Please see Location Maps. (On the south side of Center Street approximately 950 feet east of SR-89)

B. FACTS:

1. Owner/Applicant:Ronnie L. Bunker
2. Engineer:.....N/A
3. Site Dimensions and Area:.....Approximately 277' x 315' 1/2 Acres
4. Existing Zoning:....."AR-5"
5. Requested Zoning:....."SR-1"
6. Adjacent Zoning and Use:
 - North....."CL/AR-5" Chino Valley School District
 - South....."SR-2.5" and "AR-5"
 - East....."SR-2.5"
 - West....."AR-5"
7. Water Source:Private Well
8. Waste Water:Town of Chino Valley
9. General Plan Conformance: ...The Future Land Use Designation is "Commercial".

C. NOTIFICATION LETTERS: The Citizen Participation protocol as required by the Unified Development Ordinance (UDO) resulted in approximately seven (7)) letters noticing the request being mailed out. To date the Town has not received responses from the mail-out.

D. NEIGHBORHOOD MEETING: On January 3, 2013, a neighborhood meeting was held by Ronnie Bunker, the property owner to discuss the proposed zone change with residents surrounding the property. The meeting was held at the Council Chambers and allowed adjacent landowners or other affected citizens, an opportunity to discuss or express their views concerning the zone change. In addition to the Applicant family, two neighborhood people attended the meeting. The Applicant explained the intended use of the property for a single



DEVELOPMENT SERVICES DEPARTMENT
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CHINO VALLEY, AZ 86323



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family home on a one-acre lot split adjacent to the existing Bunker home. The neighbors in attendance noted that they had no objections to the rezoning and intended use.

E. ANALYSIS: The Applicant has requested a rezoning from the existing AR-5 classification to the SR-1 zoning classification for permitting a new home on approximately half of the existing property; and to provide better compliance with the Town of Chino Valley General Plan Future Land Use "Commercial" designation.

Existing Conditions: This two-acre parcel currently has a double wide trailer located on the west side. The east side of the parcel (approximately an acre) is vacant.

Adjacent Land Uses: Most of the adjacent uses are residential; directly across Center Street is the Chino Valley High School.

General Plan Conformance: The proposed zone change to "SR-1" will bring the property closer to conformance to the "Commercial" Future Land Use Designation since it permits a smaller lot size of one acre rather than the current 5-acre requirement of the "AR-5" zoning classification. Therefore the requested change merits positive consideration and recommendation to the Town Council from the Planning Commission.

Access and On-Site Circulation: The existing parcel and the proposed adjacent parcel both have access to Center Street.

F. RECOMMENDATION:

With the Findings and Stipulations indicated below staff endorses the following requests and suggests that the Commission forward the items to the Town Council with a recommendation for approval.

FINDINGS:

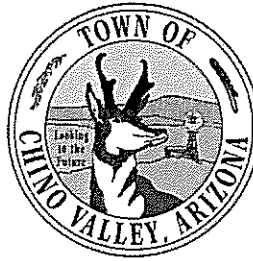
1. That the requested rezone from "AR-5" to "SR-1" will bring the property closer to conformance to the "Commercial" Future Land Use Designation and the goals of the "Town of Chino Valley 2003 General Plan".
2. That approval of the recommended rezone will not be adverse to the health, safety, convenience, and general welfare of the residents of the Town of Chino Valley, Arizona.

ZONING STIPULATIONS:

1. That the property owner agrees that the approval of this rezone confers no additional entitlements or rights to the owner or applicant other than those that are vested with the "SR-1" zoning district.
2. That the Property Owner/Applicant agrees to comply with the codified procedures set forth in the Town of Chino Valley's Unified Development Ordinance.
3. That prior to any division of the property the owner shall submit a Land Split Application to the Town's Planning Division for review and approval.



DEVELOPMENT SERVICES DEPARTMENT
1982 N. VOSS DR. #203
CHINO VALLEY, AZ 86323



TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-6937

ENGINEERING STIPULATIONS:

1. That a connection to the Town of Chino Valley's Waste Water System shall be provided for the newly created lot by the builder/contractor concurrently with the building permit process.
2. Section 4.23 E of the UDO requires the standard street dedications, and Sec 5.3.2 of the UDO Subdivision Regulations requires a 100 ft right-of-way dedication for principal and minor arterial streets; i.e. fifty (50) foot wide $\frac{1}{2}$ street from centerline of Center Street right-of-way is required along the property's Center Street frontage, as required by staff; however,
3. Based on the applicant's request and existing street dedications, staff supports a waiver from the standard dedication of a fifty (50) foot wide $\frac{1}{2}$ street from centerline of right-of-way along the property's Center Street frontage; staff finds that the existing dedication is in alignment with the adjacent properties on the south side of Center Street. Said waiver of additional dedication shall be considered with the Ordinance for the rezoning by the Town Council.

Attachments:

Rezoning/Planned Area Development Application
Property Location/Existing Zoning Map
Citizen Participation/Neighborhood Meeting Letter
Parcel 306-29-002M Survey Map showing existing structures
The General Plan Future Land Use Map
Applicant's Letter Requesting Street Dedication Waiver





REZONING APPLICATION

1.	PROPERTY OWNER NAME MAILING ADDRESS TELEPHONE NUMBER FAX NUMBER	Ronnie L. Bunker P.O. Box 880 Chino Valley AZ 86323 N/A
2.	APPLICANT NAME MAILING ADDRESS TELEPHONE NUMBER FAX NUMBER	Ronnie L. Bunker P.O. Box 880 Chino Valley AZ 86323 N/A
3.	ENGINEER NAME MAILING ADDRESS TELEPHONE NUMBER FAX NUMBER	N/A
4.	ARCHITECT/DESIGNER ADDRESS TELEPHONE NUMBER FAX NUMBER	N/A
5.	SITE LOCATION (Major Cross Streets)	Center Street between 1 East & Highway
6.	ASSESSORS PARCEL NUMBER(S)	306-29-002M
7.	SITE DIMENSIONS	2 Acres, 276.62' x 314.95'
8.	SITE AREA (GROSS)	2 Acres
9.	EXISTING STRUCTURES	double wide Trailer w/deck, pump house
10.	DESCRIBE ACCESS TO THE SITE (STREET FRONTAGE OR EASEMENT)	Street Frontage
11.	UTILITIES PROVIDED BY	ELECTRIC: APS GAS: UNS WATER: private exempt well SEWER: Town of Chino Valley
12.	FLOOD ZONE DESIGNATION	Unshaded Zone X
13.	EXISTING ZONING	Agricultural AR-5
14.	REQUESTED ZONING	Single family residential -SR-1
15.	ADJACENT ZONING NORTH: SOUTH: EAST: WEST:	ADJACENT LAND USE NORTH: CL/AR SOUTH: AR-5 EAST: SR 2.5 WEST: AR-5
16.	TOPOGRAPHY	Map Attached from Yavapai County



17. INTENT OF THE REZONE REQUEST:

to divide the property in 2 one Acre parcels
So home can be built on 2nd parcel.

OWNER'S SIGNATURE: *Dominic Gunko* DATE: 11-27-12

APPLICANT'S SIGNATURE: *Dominic Gunko* DATE: 11-27-12

(Office Use Only):

Date of Meeting: _____ Time of Meeting: _____

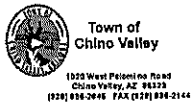
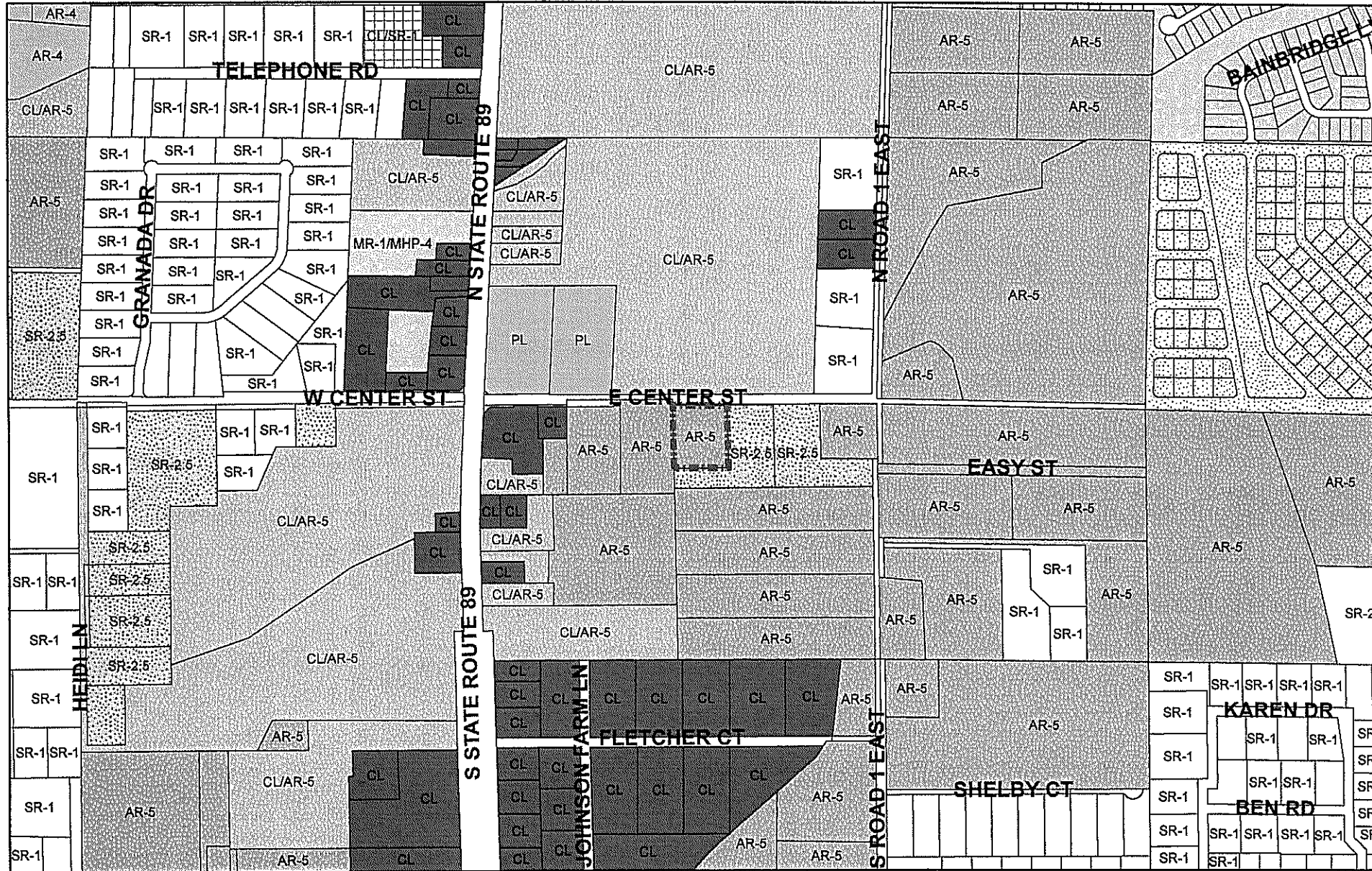
Agency's Notified: _____

Log #: _____

BUNKER APN 306-29-002M

Rezone from AR-5 to SR-1

RZ# 12-003



Chino_Parcel110512	Zoning	CL/SR-1	PL	SR-0.16	AR-38	MR1
306-29-002M	AR-5	CH	SR-2.5	MR-1/MHP-4	SR-1.6	MHP-4
Streets	CL	CH/AR-5	SR-1	Slate	OS	U/CH
	CL/AR-5	I	SR-2	AR-4	MR1/CL	

1 inch = 700 feet



The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

Ronnie L. Bunker
801 East Center Street
Chino Valley, Arizona 86323

December 6, 2012

RE ; Assessors Parcel Number 306-29-002M
801 East Center Street, Chino Valley, AZ 86323

Change of Zoning application from Agriculture (AR-5)
To Single Family Residential (SR-1)

I am proposing a change from Agriculture (AR-5) zoning to Single Family Residential (SR-1) for Assessors Parcel Number 306-29-002M. This parcel is located at 801 East Center Street, Chino Valley, Arizona.

The Town of Chino Valley Unified Development Ordinance (UDO) requires that prior to any public hearing, as required under the UDO, the Zoning Administrator (ZA) shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to holding a public hearing. For the above mentioned request, the AZ required a neighborhood meeting, therefore a written notice was mailed to all landowners within three hundred (300) feet of the subject property. The meeting is designed to allow adjacent landowners(s) or those other potentially affected citizens, a reasonable opportunity to discuss and express their respective views concerning the application.

A neighborhood meeting will be held at 400 p.m. on January 3, 2013, at the council chambers at 201 N. Highway 89 in Chino Valley. The applicant will describe the proposal. and answer any questions. The AZ, or his designee, shall attend the meeting and shall report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application. All interested parties are invited to attend. If you are unable to attend the meeting and would like more information please contact David Nicolella with the Town of Chino Valley Development Services Department at 928-636-4427 or email dnicolella@chinoaz.net.

Thank you for your consideration in this matter.

Sincerely,

Ronnie L. Bunker

306-23-063F

E. CENTER STREET

25' 25'

GAS
ELECTRIC

N90°00'00"E
276.62'

146.62'

130.00'

EXISTING
MOBILE

200.00'
N00°00'00"E

PARCEL A
±1.00 AC

PARCEL B
±1.00 AC

EXISTING 15'
DRIVE-WAY

WELL

123.64'
N21°36'44"E

101.08'

175.54'

N00°00'00"E
314.95'

314.95'
N00°00'00"E

306-29-002K

306-29-003A

SITE PLAN

PROPOSED SPLIT

PARCEL 306-29-002M

BUNKER PROPERTY

801 E. CENTER ST. CHINO VALLEY, AZ

SECTION 27, T16N, R2W
YAVAPAI COUNTY, ARIZONA



1"=30'

LEGEND

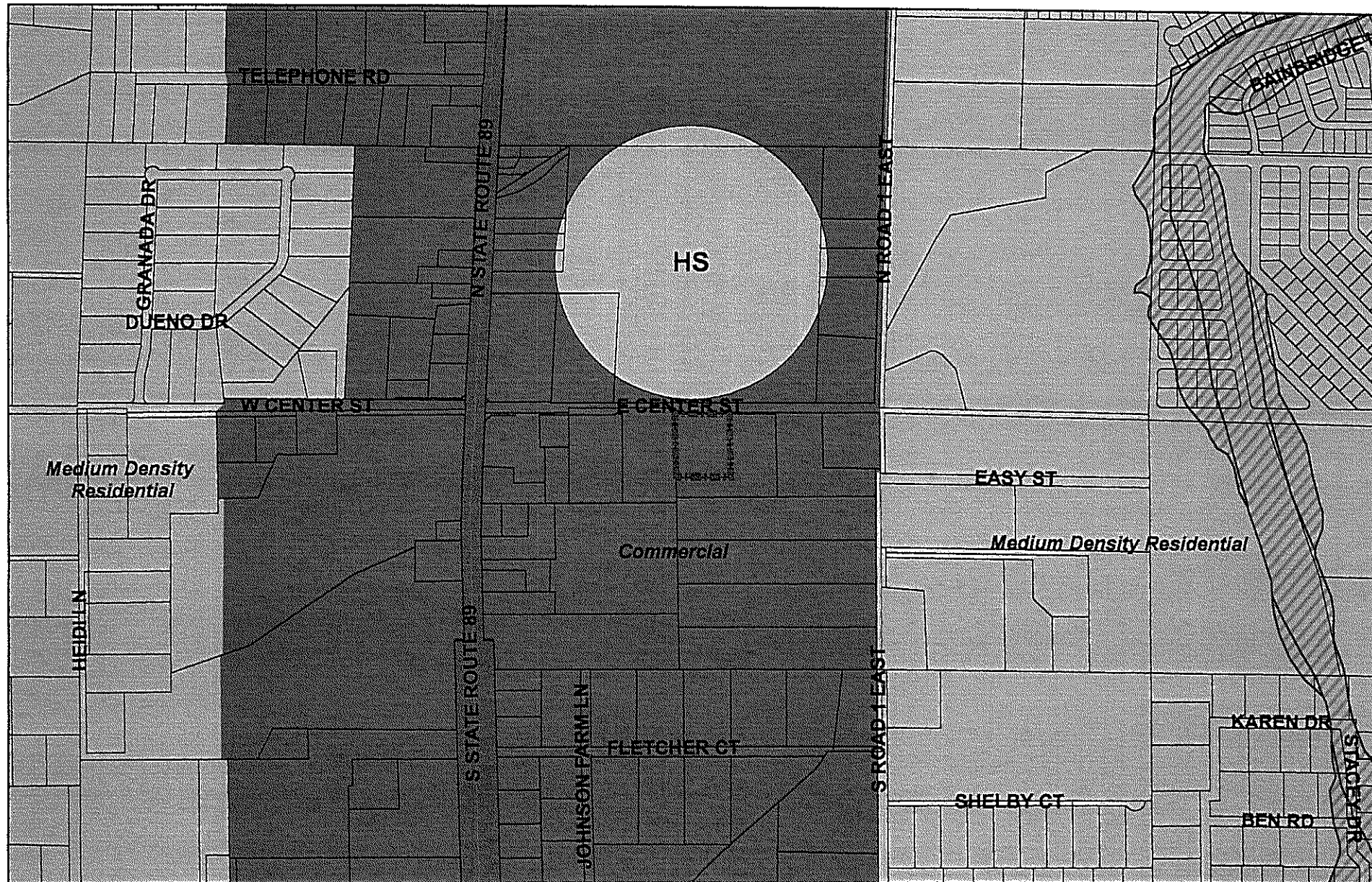
- = PROPERTY CORNER
- = PROPOSED SPLIT CORNER

BUNKER APN 306-29-002M

REZONE AR-5 to SR-1

RZ 12-003

GENERAL PLAN - AMENDED
FUTURE LAND USE MAP



Chino Parcels 110512	Schools	Flood Plain	Public Land
306-29-002M	Existing Schools	Highway 89	Special Development Area
Streets	Future Schools	Zoning General Plan	State Land

1 inch = 700 feet

The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

From: RONNIE BUNKER [bunkers@cableone.net]

Sent: Friday, January 04, 2013 4:36 PM

To: DavaH@DavaCivil.com

Subject: Bunker property proposed zoning change

Dava, per your request in last night's neighborhood meeting, consider this a request that we not be required to dedicate an additional easement on Center Street as a condition of the zoning change. We have already dedicated 30 feet from the center of the street at the Town's request, and any additional footage would severely cut into our front yard and remove all the trees in front. At the time of the last dedication of five feet, we spent quite a lot of time negotiating with the Town about which trees they wanted removed, and I actually moved one of the trees at their request. They assured me that the other trees were ok to be left in place. Now, of course, the trees are too large to move. The additional 20 feet would take most of the front yard and quite a lot of the parking space in the driveway also, as well as all the trees. The house is set back about 75 feet from the center of Center Street, as well as I can measure. Depending on what the setback requirement is, my house would possibly be out of compliance, which would impact my ability to sell the house in the future.

I realize the Town needs the easement to be the same all down the street, but perhaps they would consider taking extra frontage from the High School instead of so severely impacting my property.

Thanks for your consideration of my request.

Ronnie Bunker

ORDINANCE NO. 13-764

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, TO PROVIDE FOR THE ZONE CHANGE OF ASSESSOR'S PARCEL NUMBER 306-29-002M FROM "AR-5" AGRICULTURE/RESIDENTIAL (5 ACRE MINIMUM) TO "SR-1" SINGLE FAMILY RESIDENTIAL (1ACRE MINIMUM)

WHEREAS, Ronnie L. Bunker, has filed an application with the Town of Chino Valley ("Town") requesting a zone change from AR-5 to SR-1 for the real property described as 801 E. Center Street; and

WHEREAS, the requested zone change was noticed in conformance with the applicable State Statutes and Local Ordinances; and

WHEREAS, on January 3, 2013, a "neighborhood meeting" was held in conformance with the requirement set forth in the Town's Unified Development Ordinance ("UDO"); and

WHEREAS, the Planning and Zoning Commission ("Commission") conducted a Public Hearing on January 15, 2013, during which testimony was presented by Town staff, the applicant and others; and

WHEREAS, subsequent to the Public Hearing and discussion the Commission elected by a 6-0 vote (Commissioner Michael Edmonds absent) to forward the application to the Town Council with a recommendation for approval with certain Findings and Stipulations; and

WHEREAS, at their regular meeting of February 12, 2013, the Town Council confirmed the recommendation of the Commission by electing to adopt this Ordinance and thereby approve the requested zone change with the Findings and Stipulations cited in Section 1 of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA:

Section 1. That the Zoning Map of the Town of Chino Valley, Arizona, is hereby amended to rezone the real property legally described as 801 E. Center Street and on the date of the adoption of this Ordinance as Assessor's Parcel Number 306-29-002M located on the south side of Center Street, approximately 950 feet east of SR 89, and consists of approximately 2-acres, from "AR-5" to "SR-1" with the following Findings and Stipulations:

FINDINGS:

1. That the requested rezone from “AR-5” to “SR-1” is consistent with and conforms to the land use designation of Commercial and the goals of the “Town of Chino Valley 2003 General Plan”.
2. That approval of the recommended rezone will not be adverse to the health, safety, convenience, and general welfare of the residents of the Town of Chino Valley, Arizona.

ZONING STIPULATIONS:

1. That the property owner agrees that the approval of this rezone confers no additional entitlements or rights to the owner or applicant other than those that are vested with the “SR-1” zoning district.
2. That the Property Owner/Applicant agrees to comply with the codified procedures set forth in the Town of Chino Valley’s UDO.
3. That prior to any division of the property the owner shall submit a Land Split Application to the Town’s Planning Division for review and approval.

ENGINEERING STIPULATIONS:

1. That a connection to the Town of Chino Valley’s Waste Water System shall be provided for the newly created lot by the builder/contractor concurrently with the building permit process.
2. Section 4.23 E of the UDO requires the standard street dedications, and Sec 5.3.2 of the UDO Subdivision Regulations requires a 100 ft right-of-way dedication for principal and minor arterial streets; i.e. fifty (50) foot wide ½ street from centerline of Center Street right-of-way is required along the property’s Center Street frontage, as required by staff; however,
3. Based on the applicant’s request and existing street dedications, staff supports a waiver from the standard dedication of a fifty (50) foot wide ½ street from centerline of right-of-way along the property’s Center Street frontage; staff finds that the existing dedication is in alignment with the adjacent properties on the south side of Center Street. Said waiver of additional dedication shall be considered with the Ordinance for the rezoning by the Town Council.

Section 2. That this Ordinance repeals any prior enactment by the Town of Chino Valley that is inconsistent herewith.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the UDO adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 12th day of February, 2013.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, PC
Town Attorney

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 02/12/2013
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Action-Presentation
Estimated length of staff presentation: 10 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to accept the Annual Audited Financial Statements and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2012, as prepared by Hinton Burdick, CPAs & Advisors.

RECOMMENDED ACTION:

Accept the Annual Audited Financial Statements and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2012, as prepared by Hinton Burdick, CPAs & Advisors.

SITUATION AND ANALYSIS:

Hinton Burdick CPAs and Advisors was retained by the Town to complete the audit for the fiscal year ended June 30, 2012.

The audit has been completed, and the final reports have been issued.

Other Pertinent Documents Available Upon Request:

A printed copy of the report is being provided to Council and pertinent staff separately. The report will be available on the Town's website at <http://www.chinoaz.net/finance/budget.shtml>.

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Expenditure Limitation Report

Findings and Recommendations

Other Items Communicated to Management

TOWN OF CHINO VALLEY, ARIZONA
ANNUAL EXPENDITURE LIMITATION REPORT
JUNE 30, 2012
WITH REPORT OF
CERTIFIED PUBLIC ACCOUNTANTS

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Independent Auditors' Report on AELR

The Auditor General of the State of Arizona and
The Honorable Mayor and Town Council
Town of Chino Valley, Arizona

We have audited the financial statements of the Town of Chino Valley, Arizona, as of and for the year ended June 30, 2012, and have issued our separate report thereon dated December 3, 2012. We have also audited the accompanying Annual Expenditure Limitation Report of the Town of Chino Valley, Arizona, for the year ended June 30, 2012. This report is the responsibility of the Town of Chino Valley, Arizona's management. Our responsibility is to express an opinion on this report based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the annual expenditure limitation report is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the report. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall report presentation. We believe that our audit provides a reasonable basis for our opinion.

The accompanying Annual Expenditure Limitation Report was prepared for the purpose of complying with the uniform expenditure reporting system as discussed in Note 1, and is not intended to be a presentation in conformity with generally accepted accounting principles.

In our opinion, the Annual Expenditure Limitation Report of the Town of Chino Valley, Arizona, for the year ended June 30, 2012, referred to above presents fairly, in all material respects, the information required by the uniform expenditure reporting system on the basis of accounting described in Note 1.

This report is intended solely for the information and use of the Town and filing with the Auditor General of the State of Arizona and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

HintonBurdick, PLLC

HintonBurdick, PLLC
December 3, 2012

TOWN OF CHINO VALLEY, ARIZONA
Annual Expenditure Limitation Report – Part I
Year Ended June 30, 2012

1.	Economic Estimates Commission expenditure limitation	N/A	
2.	Voter-approved alternative expenditure limitation (Approved March 20, 2009)	<u>\$ 15,174,150</u>	
3.	Enter applicable amount from line 1 or line 2		15,174,150
4.	Amount subject to the expenditure limitation (total amount from Part II, Line C)	10,110,109	
5.	Board-authorized expenditures necessitated by a disaster declared by the Governor (Article IX, Sec. 20(2)(a),	N/A	
6.	Board-authorized expenditures necessitated by a disaster not declared by the Governor (Article IX, Sec. 20(2)(b), Arizona Constitution)	N/A	
7.	Prior-year voter-approved expenditures to exceed the expenditure limitation for the reporting fiscal year (Article IX, Sec. 20(2)(c), Arizona Constitution)	<u>N/A</u>	
8.	Subtotal	10,110,109	
9.	Board-authorized excess expenditures for the previous fiscal year necessitated by a disaster not declared by the Governor and not approved by the voters (Article IX, Sec. 20(2)(b), Arizona Constitution)	<u>N/A</u>	
10.	Total adjusted amount subject to the expenditure limitation		<u>10,110,109</u>
11.	Amount under (in excess of) the expenditure limitation (If excess expenditures are reported, provide an explanation)		<u>\$ 5,064,041</u>

I hereby certify, to the best of my knowledge and belief, that the information contained in this report is accurate and in accordance with the requirements of the uniform expenditure reporting system.

Signature of Chief Fiscal Officer: _____

Name and Title: Joe Duffy, Finance Director

Telephone Number: (928) 636-2646 Date: _____

See accompanying notes to report.

TOWN OF CHINO VALLEY, ARIZONA
Annual Expenditure Limitation Report – Part II
Year Ended June 30, 2012

Description	Governmental Funds	Enterprise Funds	Total
A. Amounts reported on the Reconciliation Line D	\$ 7,889,657	\$ 2,220,452	\$ 10,110,109
B. Less exclusions claimed:			
1. Bond proceeds	-	-	-
Debt service requirements on bonded indebtedness	-	-	-
Proceeds from other long-term obligations	-	-	-
Debt service requirements on other long-term obligations	-	-	-
2. Dividends, interest and gains on the sale or redemption of investment securities	-	-	-
3. Trustee or custodian	-	-	-
4. Grants and aid from the Federal government	-	-	-
5. Grants, aid, contributions, or gifts from a private agency, organization, or individual except amounts received in lieu of taxes	-	-	-
6. Amounts received from the State of Arizona	-	-	-
7. Quasi-external interfund transactions	-	-	-
8. Amounts accumulated for the purchase of land, and the purchase or construction of buildings or improvements	-	-	-
9. Highway user revenues in excess of those received in fiscal year 1979-80	-	-	-
10. Contracts with other political subdivisions	-	-	-
11. Refunds, reimbursements, and other recoveries	-	-	-
12. Voter-approved exclusions not identified above (attach resolution)	-	-	-
13. Prior years carryforward	-	-	-
14. Total exclusions claimed	-	-	-
C. Amount subject to the expenditure limitation (If an individual fund type amount is negative, reduce exclusions claimed to net to zero.)	\$ 7,889,657	\$ 2,220,452	\$ 10,110,109
	\$ 7,889,657	\$ 2,220,452	\$ 10,110,109

See accompanying notes to report.

TOWN OF CHINO VALLEY, ARIZONA
Annual Expenditure Limitation Report – Reconciliation
Year Ended June 30, 2012

Description	Governmental Funds	Enterprise Funds	Total
A. Total expenditures/expenses/deductions and applicable other financing uses, special items, and extraordinary items reported within the fund based financial statements	\$ 7,889,657	\$ 2,845,333	\$ 10,734,990
B. Subtractions			
1. Items not requiring use of working capital:			
Depreciation	-	1,222,540	1,222,540
Loss on disposal of capital assets	-	-	-
Bad debt expense	-	6,735	6,735
Claims incurred but not reported	-	-	-
Landfill closure and postclosure care costs	-	-	-
2. Expenditures of separate legal entities established under Arizona Revised Statutes	-	-	-
3. Present value of net minimum capital lease and installment purchase contract payments recorded as expenditures at inception of the agreements	-	-	-
4. Involuntary court judgments	-	-	-
6. Total subtractions	-	1,229,275	1,229,275
C. Additions:			
1. Principal payments on long-term debt	-	386,164	386,164
2. Acquisition of capital assets	-	218,230	218,230
3. Claims paid in current year but reported as expnses incurred but not reported in prior years	-	-	-
4. Landfill closure and postclosure care costs paid in the current year but reported as expenses in previous years	-	-	-
5. Total additions	-	604,394	604,394
D. Amounts reported on Part II, Line A	\$ 7,889,657	\$ 2,220,452	\$ 10,110,109

See accompanying notes to report.

TOWN OF CHINO VALLEY, ARIZONA
Notes to Annual Expenditure Limitation Report
Year Ended June 30, 2012

Note 1. Summary of Significant Accounting Policies

The Annual Expenditure Limitation Report (AELR) is presented on the basis of accounting prescribed by the *Uniform Expenditure Reporting System* (UERS), as required by Arizona Revised Statutes §41-1279.07, and in accordance with the voter-approved alternative expenditure limitation plan as authorized by the Arizona Constitution, Article IX, §20 (9). On March 20, 2009 the voter-approved alternative expenditure limitation was extended.

In accordance with the UERS requirements, a note to the AELR is presented below for any exclusion claimed in part II and each deduction or addition in the Reconciliation that cannot be traced directly to an amount reported in the annual financial statements. All references to financial statement amounts in the following notes refer to the Statement of Revenues, Expenditures, and Changes in Fund Balances for the Governmental Funds, Statement of Revenues, Expenses, and Changes in Net Assets for the Proprietary Funds, Statement of Cash Flows for the Proprietary Funds, and the Statement of Changes in Fiduciary Net Assets.

Note 2. Reconciliation Deductions and Additions

The deductions for depreciation and bad debt expense and the additions for principal payments and the acquisition of capital assets are all provided in the Statement of Revenues, Expenses, and Changes in Fund Net Position for the proprietary funds; the Statement of Cash Flows for the proprietary funds and the financial statement footnotes 5 and 6.

The addition of principal payments on long-term debt in the Enterprise Funds consists of \$386,164 paid on bonds, loans payable and capital leases, during the current fiscal year. The addition for the acquisition of capital assets consists of \$218,230 paid for various capital assets in the Water and Sewer funds.



**Findings, Recommendations and Responses
For the Fiscal Year Ended June 30, 2012**

The Honorable Mayor and
Town Council
Chino Valley, Arizona

Professional standards require that we communicate, in writing; deficiencies in internal control over financial reporting that are considered significant deficiencies or material weaknesses that are identified during the audit of the financial statements. We wish to commend the Town for their achievements with the Town's accounting and budgeting system. During our audit of the Town of Chino Valley, Arizona for the fiscal year ended June 30, 2012, we found a few circumstances that, if improved, would strengthen the Town's accounting system and control over its assets. These items are discussed below for your consideration.

INTERNAL CONTROL OVER FINANCIAL REPORTING:

Material Weakness:

12-01 Year-End Adjustments

During our audit we made recommendations for various journal entries that were necessary to adjust year end balances and make other miscellaneous reclassifications in order for the financial statements to be materially correct. Overall, management does a good job at reconciling accounts and posting year end journal entries. Nevertheless, auditing standards require that we report such audit adjustments as a deficiency.

Recommendation

Management has reviewed the journal entries and has discussed them with us to ensure that the Town agrees with the entries and understands the purpose and underlying accounting principles associated with each entry. We recommend management continue to make efforts to reduce the number of audit adjustments needed and develop procedures to ensure that all significant adjustments are posted to the general ledger before the annual audit takes place.

Response

The Town concurs with the auditor's recommendation to develop procedures to ensure that all significant year-end adjustments are posted prior to the start of the annual audit. Additional training and increased familiarization of the financial information by the Finance Department staff will help reduce the number of year-end adjustments needed each year.

Significant Deficiencies:**12-02 Court Bank Reconciliation**

During our audit we noted that the Court bank account reconciled balance does not agree to the general ledger at year end. The difference is not significant; however, accurate bank reconciliations are an important step in safeguarding and providing control over the assets of the Town.

Recommendation

We recommend that the Town and/or Court review the bank reconciliation and the general ledger and make the adjustments necessary to ensure that the balances agree.

Response

The Town agrees with the auditor's recommendation that all bank reconciliations agree with the general ledger. The Town has begun working with the court in order to improve their financial processes and procedures with the goal to improve the timely recording and reconciling of the court financial data.

12-03 Capital Asset Accounting and Inventory

During our audit we noted areas of accounting for the capital assets of the Town that could be improved. Apparently the Town did not conduct an inventory of capital assets. Some assets that were sold during the year were not removed from the asset listing. An annual or bi-annual capital asset inventory provides important controls over safeguarding and accounting for the Town's capital assets. An asset inventory may have helped the Town to identify assets that were sold during the year.

Recommendation

We recommend that the Town conduct an annual or bi-annual capital asset inventory. We also recommend that revenue accounts related to asset sales be reviewed at year-end to ensure that all assets disposed during the year have been removed from the asset lists.

Response

The Town agrees with the auditor's recommendation to conduct an annual or bi-annual capital asset inventory. The Finance Department will begin conducting the capital assets inventories on a department by department basis in 2013. Procedures are also being developed to record assets when purchased and remove the assets when sold.

COMPLIANCE AND OTHER MATTERS:**Compliance:**

None noted

Other Matters:

09-05 Utility Fund Operating Losses – prior year reissued

Finding

The Water and Sewer funds experienced operating losses of \$205,878 and \$802,619, respectively for the fiscal year ended June 30, 2012. Generally, in a business-type fund, the operating revenues should cover the operating expenses. The Water fund has a working capital loan balance of \$1,455,463 outstanding and payable to the General fund, Roads Impact Fee fund and other funds. However, management is aware of the loan and they are making efforts to eliminate the balance.

Recommendations

We understand that management is aware of the operating deficits and the inter-fund loans. We recommend that the Town closely monitor cash balances and financial activity and consider appropriations from other funds or other actions as necessary to ensure that sufficient cash flows are available to pay operating costs, pay back the other funds and make future capital investments. The Council and management should continue with efforts to eliminate the loan and ensure that the Road Impact fee funds are paid back as quickly as possible.

Response

The Town has and is making progress on the repayment of the inter-fund loans to the Water Enterprise Fund from the Roads Impact Fee Fund. During fiscal year 2011/2012 the inter-fund loan balance was reduced by \$319,463.

On November 17, 2011, there was a Town Council Study Session emphasizing Water & Sewer Rates Issues and Collection Issues. The Town has and is working on improving the collection of past due water and sewer utility accounts. The Finance Department, Public Works Department, and Utilities Department are working together to address this issue to help ensure adequate cash flow for future debt service requirements.

The Finance Department has made and will continue to make the Town Council aware of: the inter-fund loans; the impact of those inter-fund loans, the continued support from the 1% Sales Tax Revenues through transfers from the Capital Improvement Fund to the Water Enterprise Fund; the importance of the Water Enterprise Fund becoming self-sufficient; and the importance of building up reserves in the Sewer Enterprise Fund for future debt service requirements.

We did not audit the Town's responses to the findings identified above and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of the Town Council, management, and various federal and state agencies and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

It has been a pleasure to be of service to the Town this past year. We would like to express special thanks to all those who assisted us so efficiently in this year's audit. We invite you to ask questions of us throughout the year as you feel necessary. We look forward to a continued professional relationship.

Sincerely,

A handwritten signature in cursive script that reads "Hinton Burdick, PLLC".

HintonBurdick, PLLC
December 3, 2012



**Other Items Communicated to Management
For the Year Ended June 30, 2012**

Joe Duffy
Finance Manager
Town of Chino Valley, Arizona

During our audit of the funds of the Town of Chino Valley for the fiscal year ended June 30, 2012, we noted a few other items that we wish to communicate to management. These items have not been included with our findings and recommendations letter since they are only related to suggestions for improvements to accounting functions or they may be deemed to be less significant and/or management is aware of the findings and are working on resolutions.

12-01 Timeliness of Deposit

Finding/Recommendation

During our audit work we noted one day's receipts that were not deposited timely. The funds were receipted on Tuesday, April 17, 2012 and deposited to the bank on Monday, April 23, 2012.

We recommend the Town take steps to ensure that all funds are deposited timely to the bank.

12-02 Grant Management

Finding/Recommendation

The CDBG grant is administered on a cost reimbursement basis. We noted grant-related expenses that were paid by the Town in February and March, 2012 for which a grant reimbursement was not requested until September and October, 2012.

In order to provide better control over the Town's cash flows we recommend that grant activity be monitored on a monthly basis and that reimbursement requests are submitted in a timely manner.

12-03 Fund Balance AppropriationFinding/Recommendation

We noted that for fiscal year 2012 the Town appropriated fund balance of \$117,332 in the Grants Special Revenue Fund; however, the fund only had \$70,328 of fund balance available for appropriation.

We recommend that the Town review the existing fund balances prior to making appropriations for the upcoming fiscal year or make adjustments to the budget if fund balances change due to changes in actual revenues and expenditures.

11-01 Excess Court Funds – prior year reissuedFinding/Recommendation

We noted the Court has an excess balance in their bank account which has not been remitted to either the State for surcharges or to the City as collected fines. Due to the nature of the Courts operations, all collected funds with the exception of bonds, should be disbursed monthly to the appropriate recipients.

We recommend the Court research the source of the excess funds and disburse them accordingly. If the Court is unable to determine how the funds should be distributed we recommend they work with the Town finance department and the State of Arizona Department of Revenue – Unclaimed Property Section to determine how the funds should be distributed.

09-01 Segregation of Duties – Court – prior year reissuedFinding/Recommendation

Court Cash Receipts: The same individual that prepares the bank deposit slip and takes the deposit to the bank also prepares the bank reconciliation. Apparently the Finance Director reviews the bank reconciliation; thus, this is not deemed to be a significant weakness.

We recommend that management continue to review the bank reconciliations in a timely manner and watch this procedure until such time as additional staff are necessary and proper segregation can be implemented.

Sincerely,



HintonBurdick, PLLC
December 3, 2012

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 02/12/2013
Contact Person: Ron Grittmann, Town Engineer
 Phone: 928-636-2646 x-1223
Department: Public Works
Item Type: Action-Presentation
Estimated length of staff presentation: 15 minutes
Physical location of item: Town Water and Sewer System

AGENDA ITEM TITLE:

Consideration and possible action to: (i) hold a public hearing to take public comment on the proposed water and wastewater rate structure; and (ii) approve Resolution No. 13-1005 to change and establish certain water and wastewater fees in accordance with scenario 2A of the 2012 Water and Wastewater Rate Study prepared by Economists.com.

RECOMMENDED ACTION:

(i) Hold Public Hearing;
 (ii) Approve Resolution No. 13-1005 to change and establish certain water and wastewater fees in accordance with scenario 2A of the 2012 Water and Wastewater Rate Study prepared by Economists.com.

SITUATION AND ANALYSIS:

On June 12, 2012, the Town of Chino Valley entered into a professional services contract with Economist.com to determine various utility rate schedules. Mr. Dan Jackson has completed in analysis and has presented them to the Council at the October 2, 2012 study session and the January 8, 2012 Council Meeting. The Council has directed staff to prepare the water and wastewater utility rate schedule in accordance with scenario 2A. The attached resolution will set the water and wastewater utility rates in accordance with scenario 2A.

This rate increase was properly advertised in the Prescott Courier January 10, 11, and 12, 2013. In this advertisement February 12, 2013 was set as the date of the Public Hearing. Should the council approve the resolution as proposed these rates will become effective on the first billing cycle (April 1, 2013) that is greater than 30 days after adoption. These dates are in accordance with A.R.S. §9-499.01 and § 9-511.01.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

This is a Revenue item.

Attachments

Resolution 13-1005

RESOLUTION NO. 13-1005**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI AND STATE OF ARIZONA, IN ACCORDANCE WITH THE TOWN OF CHINO VALLEY CODE OF ORDINANCES, TITLE V "PUBLIC WORKS" CHAPTER 51.250 "UTILITY FEES" TO CHANGE AND ESTABLISH CERTAIN WATER AND SEWER FEES**

WHEREAS, the Town of Chino Valley Town Code Section 51.250, et. seq., provides for the establishment of certain water and sewer fees; and

WHEREAS, increased regulatory and operating costs have occurred since the existing water and sewer rates were implemented; and

WHEREAS, such water and sewer cost increases are based on recommendations and an appropriate analysis of the water and sewer rate structure by Economists.com as presented to the Town Council on November 13, 2012 that are set forth in this Resolution; and

WHEREAS, on January 8, 2013, the Town Council adopted by motion a notice of intention to increase certain water and sewer rates and rate component fees, buy-in fees, and monthly service fees, and set February 12, 2013 as the date for a public hearing on the matter; and

WHEREAS, a copy of the notice of intention stating the date, time, and place of such public hearing has been properly published at least 20 days prior to the public hearing date and the public hearing has been conducted as scheduled; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to adopt new rates in order to maintain the financial integrity of the water and sewer enterprises; and

BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, in the County of Yavapai and State of Arizona as follows:

Section 1. The following (i) buy-in fees, (ii) monthly sewer service fees, and (iii) monthly water service fees shall be adopted, with the Base Charge for water service fees stated as gallons:

TOWN OF CHINO VALLEY PROPOSED WATER/WASTEWATER RATE SCHEDULE								
Water Rates								
	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Residential¾" Meter								
Base Charge			\$4.84	\$4.99	\$5.13	\$5.29	\$5.45	\$5.61
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Residential 1" Meter								
Base Charge			\$8.08	\$8.32	\$8.57	\$8.83	\$9.09	\$9.37
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial ¾" Meter								
Base Charge			\$4.84	\$4.99	\$5.13	\$5.29	\$5.45	\$5.61
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 1" Meter								
Base Charge			\$808	\$8.32	\$8.57	\$8.83	\$9.09	\$9.37
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00

	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Commercial 1½" Meter								
Base Charge			\$16.12	\$16.60	\$17.10	\$17.61	\$18.14	\$18.69
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 2" Meter								
Base Charge			25.80	26.57	27.37	28.19	29.04	29.91
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 3" Meter								
Base Charge			\$48.40	\$49.85	\$51.35	\$52.89	\$54.47	\$56.11
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 4" Meter								
Base Charge			\$80.76	\$83.18	\$85.68	\$88.25	\$90.90	\$93.62
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Country West								
Base Charge			-	-	-	-	-	-
Usage Charge	-	8,000	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
	8,001	20,000	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
	20,000	Above	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70

Wastewater Rates								
	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Base Charge			\$48.40	\$53.37	\$58.31	\$64.14	\$70.55	\$79.02
Usage Charge			-	-	-	-	-	-
<i>Other</i>								
Base Charge			-	-	-	-	-	-
Usage Charge			-	-	-	-	-	-
<i>Commercial ¾"</i>								
Base Charge			\$48.40	\$53.37	\$58.31	\$64.14	\$70.55	\$79.02
Usage Charge			-	-	-	-	-	-
<i>Commercial 1"</i>								
Base Charge			\$81.00	\$89.31	\$97.58	\$107.34	\$118.07	\$132.24
Usage Charge			-	-	-	-	-	-
<i>Commercial 1½"</i>								
Base Charge			\$161.00	\$177.52	\$193.96	\$213.35	\$234.69	\$262.85
Usage Charge			-	-	-	-	-	-
<i>Commercial 2"</i>								
Base Charge			\$258.00	\$284.47	\$310.81	\$341.89	\$376.08	\$421.21
Usage Charge			-	-	-	-	-	-
<i>Commercial 4"</i>								
Base Charge			\$807.00	\$889.80	\$972.19	\$1,069.41	\$1,176.35	\$1,317.52
Usage Charge			-	-	-	-	-	-

	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Country West								
Base Charge			\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
Usage Charge			-	-	-	-	-	-
Connection Fees (Buy-In Fees)								
Water								
Residential								
¾" Meter Prior to 8/21/2004			\$854	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter Prior to 8/21/2004			\$1,424	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
¾" Meter After to 8/21/2004			\$854	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter After to 8/21/2004			\$1,424	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Multi-Family Residential								
¾" Meter Prior to 8/21/2004			\$775	\$3,630	\$3,630	\$3,630	\$3,630	\$3,630
1" Meter Prior to 8/21/2004			\$1,294	\$3,630	\$3,630	\$3,630	\$3,630	\$3,630
¾" Meter After to 8/21/2004			\$775	\$3,630	\$3,630	\$3,630	\$3,630	\$3,630
1" Meter After to 8/21/2004			\$1,294	\$3,630	\$3,630	\$3,630	\$3,630	\$3,630
Hotels/Motels Per Room			\$719	\$3,056	\$3,056	\$3,056	\$3,056	\$3,056

	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
<i>Commercial</i>								
¾" Meter			\$854	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter			\$1,424	\$6,670	\$6,670	\$6,670	\$6,670	\$6,670
1½" Meter			\$2,868	\$13,433	\$13,433	\$13,433	\$13,433	\$13,433
2" Meter			\$4,588	\$21,489	\$21,489	\$21,489	\$21,489	\$21,489
3" Meter			\$8,606	\$40,309	\$40,309	\$40,309	\$40,309	\$40,309
4" Meter			\$14,346	\$67,194	\$67,194	\$67,194	\$67,194	\$67,194
6" Meter			\$28,683	\$134,347	\$134,347	\$134,347	\$134,347	\$134,347
8" Meter			\$45,896	\$214,970	\$214,970	\$214,970	\$214,970	\$214,970
10" Meter			\$65,980	\$309,040	\$309,040	\$309,040	\$309,040	\$309,040
12" Meter			123,347	577,738	577,738	577,738	577,738	577,738
Wastewater								
Prior to 8/21/2004			\$1,683	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000
After to 8/21/2004			\$4,691	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000

Section 2. On the thirty-first (31st) day following the passage and adoption of this Resolution, any existing (i) buy-in fees, (ii) monthly sewer service fees, and (iii) monthly water service fees shall be rescinded and replaced with the fee schedule set forth above.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 12th day of February, 2013.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, PC
Town Attorney



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **7. d.**

Meeting Date: 02/12/2013

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Action

AGENDA ITEM TITLE:

Consideration and possible action to approve the January 8, 2013 Regular Meeting minutes.

RECOMMENDED ACTION:

Approve the January 8, 2013 Regular Meeting minutes.

Attachments

January 8, 2013 minutes

DRAFT

MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, JANUARY 8, 2013
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 8, 2013.

Present: Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Lon Turner

Absent: Councilmember Linda Hatch

Staff Town Manager Robert Smith; Town Attorney Sharon Sargent-Flack; Finance Director Joe

Present: Duffy; Town Engineer/Public Works Director Ron Gritman; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

Attendees: Police Officer Dale Cozens, Police Sergeant Tom King, Utility Supervisor Chris Bartels

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Marley called the meeting to order at 6:03 p.m.

Councilmember Best gave the invocation and Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Introduction of new District 4 County Supervisor, Craig Brown.

Craig Brown, District 4 Supervisor for Yavapai County spoke about the new Board of Supervisors' focus on the future Great Western Highway from Prescott Valley to Chino Valley, a connector road between Williamson Valley and Chino Valley, assessed values, cutting County expenses to keep taxes down, and constructing a new jail with no new jail tax.

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to speaker remarks.

No one from the public spoke.

4) **RESPONSE TO THE PUBLIC**

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

Mayor Marley reported that at the last meeting, Herbert Schuermann spoke about sewer rates increases. He visited with Mr. Schuermann to review the matter.

5) **CURRENT EVENT SUMMARIES AND REPORTS**

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

Mayor Marley reported on the Town seeking applicants for various public bodies; and the County approving a Local Transportation Assistance Fund grant of \$1,425 for the Senior Center.

Vice-Mayor Tenney reported on the status of the Legal Services Review Committee and pending interviews for legal services.

Mayor Marley presented the Monthly Mayors Report, which focused on Town accomplishments of the past 18 months.

a) Year-end Transit System report by Ed Steinback, Transit Manager.

Mr. Steinback presented the Transit System's year-end report for the 12 months ended September 30, 2012. Key points were:

- The system grew 30%, ridership grew 31%, and costs were reduced 23%.
- Total expenditures over two years were \$128,249, with the Town's contributions totaling approximately \$7,808 per year.
- Accomplishments – formed two non-profit foundations, established a regional system, applied for first regional transit grant; acquired community partners and sponsors, and promotional partners; and began the advertising program.
- Goals – continue expanding ridership, expand service from four to five days, become budget neutral to the Town by the close of the current grant cycle, and continue data collection.

6) **CONSENT AGENDA**

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve Consent Agenda items 6a through 6f.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- a) Consideration and possible action to approve the October 9, 2012 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the October 18, 2012 Special Meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve the October 23, 2012 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to accept correction of a scrivener's error in Ordinance No. 12-762, adopted December 11, 2012, amending the numbering sequence to Ordinance No. 12-760. (Jami Lewis, Town Clerk)
- e) Consideration and possible action to re-appoint Jack Owen and Gwen Rowitsch to the Planning and Zoning Commission for three-year terms starting February 1, 2013, per recommendation from the Council Appointments Committee. (Jami Lewis, Town Clerk)
- f) Consideration and possible action to accept the right-of-way dedication from James Hutchinson at Road 1 West and Center Street across the roadway frontage of Assessor's Parcel Number 306-29-024P. (Ron Gritman, Town Engineer)

7) ACTION ITEMS

- a) Consideration, discussion, and possible action related to the public Notice of Intention to Increase Water and Wastewater Rates, Fees, and Service Charges and publication of the same on January 10, 11, and 12, 2013 in the Prescott Courier. (Ron Gritman, Town Engineer)

Mr. Gritman reported that the subject Notice of Intention was one of many steps required by law to set new rates. If approved, the Notice must be published in the Town's newspaper of record, the Prescott Courier, on January 10-12, 2013, to allow sufficient time to have the Public Hearing on February 12, 2013.

Dan Jackson, Managing Director of Economists.com provided an overview of the proposed rate plan:

- Key findings of the 2012 rate study were: growth was expected to be minimal in the next decade; existing accounts were not covering the costs for operations or repairs; costs will continue to increase every year due to reasons beyond the Town's control; millions of dollars will need to be invested in the next 10 years for improvements; the water and wastewater funds were losing money and being subsidized; and there will be no money left to continue the subsidy by 2015.
- Staff and Council had reviewed several rate plan scenarios, each with a different set of objectives, and after extensive analysis and review, Council selected one scenario as most appropriate for the ratepayers and utility system.
- The proposed rate plan will result in most ratepayers' bills increasing \$5-\$6 per month starting in March 2013 and adjusting every January over the next four years.
- The proposed water rate increase for 2013 will be comparable to that of Appaloosa

Meadows, and lower than Chino Meadows, Prescott, and Chino Valley customers served by the City of Prescott.

- This rate plan will benefit the Town by enabling the Town to: eliminate the subsidy over four years; acquire the wastewater treatment plant and Chino Meadows I water accounts; fund \$300,000 per year in capital repairs beginning in fiscal year 2016; not issue new debt and fund all operating expenses in the next five years; and set consistent rate adjustments to lessen the impact on ratepayers.
- He recommended that this five-year plan be reviewed every year.

Mayor Marley added that if the Town was able to obtain additional water users, purchase the wastewater treatment plant and take over its operations, the Town would be able to cut costs to ratepayers. The capital improvement program will allow the Town to extend lines and pick up other customers to share the burden.

Town Attorney Sharon Sargent-Flack suggested two small modifications to the Notice to clarify the language.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to approve the public Notice of Intention to Increase Water and Wastewater Rates, Fees, and Service Charges as amended by town attorney, and direct staff to publish the same on January 10, 11, and 12, 2013 in the Prescott Courier.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- b)** Consideration and possible action to adopt Resolution No. 13-1003 endorsing the Arizona Department of Transportation intention to construct three roundabouts along State Route 89 at Road 4 North, Perkinsville Road, and approximately 1,000 feet north of the future alignment of Road 5 South. (Ron Grittmann, Public Works Director)

ADOT (Arizona Department of Transportation)

CYMPO (Central Yavapai Metropolitan Planning Organization)

Mr. Grittmann reported that:

- Over the past year, staff had worked with ADOT regarding the design of roundabouts at the intersections of Road 4 North and State Route 89, and Perkinsville Road and State Route 89. ADOT needed Council's endorsement to continue with the design.
- The conceptual designs for these roundabouts minimized the right-of-way needed due to the location of buildings, structures, propane tanks, and driveways existing on the affected properties, while still allowing for full sized commercial trucks and passenger vehicles to pass through at the same time.
- The intersection at Road 4 North will be funded through ADOT highway safety funds, while the intersection at Perkinsville Road will be funded by CYMPO.
- While ADOT had not completed the design for the roundabout at the intersection of State Route 89 approximately 1,000 feet north of the future alignment of Road 5 South, current expectations were that it would be similar to the Road 4 South roundabout. Staff included this intersection in the Resolution in order to expedite the necessary approvals and provide ADOT with a vote of confidence.

Mayor Marley asked staff to talk to ADOT about placing grooves in front of the roundabouts

as a way to alert motorists.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner to approve Resolution No. 13-1003 endorsing the Arizona Department of Transportation intention to construct three roundabouts along State Route 89 at Road 4 North, Perkinsville Road, and approximately 1,000 feet north of the future alignment of Road 5 South.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- c) Consideration and possible action to authorize staff to spend up to \$90,000 of Parks Impact Fee funds to expand the Community Center Park by approximately 7 acres into the area that is currently vacant along Perkinsville Road. (Ron Grittmann, Town Engineer)

Mr. Grittmann reported that:

- A lot of people had spent time, effort, and money on developing a master plan for the northern seven acres of the Community Center Park, which featured a dog park, amphitheater, and ramada, and was estimated to cost several million. This area currently consisted of an accumulation of bare dirt and weeds, a very large mound of dirt paralleling Perkinsville Road, and a surfaced parking lot to accommodate overflow parking.
- While staff did not believe funds will be available within the foreseeable future to develop the area per the master plan, they proposed to allow inhouse crews to improve the area in a way that will not affect the Town's ability to implement the master plan improvements in the future.
- Staff proposed to: (i) use the existing mound of dirt to create knolls and a walking path that will allow for the future addition of trees, shrubs, decorative rock by the Town or various sponsors, as well as exercise equipment; (ii) construct a detention pond on the western side of the entrance into the overflow parking lot; (iii) create an off-leash dog park immediately west of the overflow parking and south of the new detention area that will allow for future expansion; and (iv) extend potable and irrigation water across the area.
- This proposal will incur the expenditure of Parks impact fee funds for equipment rental, materials, pipe, decomposed granite, edging, and decorative rock. Trees and shrubs will only be purchased with these funds pending availability after construction of the major improvements. While there was \$117,000 in existing impact fees, the Parks and Recreation Advisory Board requested that staff limit their expenditures to up to \$90,000.
- Due to staff's work schedule, they had only two months to accomplish this, or it would have to wait until next year.

Council discussion: They preferred that staff stay as close to the master plan as possible, set aside some land for additional parking, bring a simple design back to Council at the next meeting, and their approval be contingent upon this being a temporary design. They also consented to staff starting the irrigation extension in the next two weeks to minimize delay.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner to authorize staff, per discussion, to spend up to \$90,000 of Parks Impact Fee funds to expand the Community Center Park by approximately seven acres.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- d) Consideration and possible action to direct staff to proceed with the necessary steps to establish an industrial park at Old Home Manor as presented at the Council study session on September 6, 2012. (Robert Smith, Town Manager)

Mr. Smith reported that on September 6, 2012, staff presented the concept of creating an industrial park on the west side of Old Home Manor for the purpose of providing jobs and business-to-business industries to support the park. Staff desired Council's formal direction to begin taking the steps outlined in the study session to create the industrial park. Staff anticipated needing about \$7,000 from contingency for a survey, zoning process, and associated technical information.

Mayor Marley added that although the recent citizen survey results indicated that the citizens did not support funding an industrial park through bonding, the Town could use existing funds to establish a small industrial park to bring jobs to the community.

Council desired that a rough map, funding, and present issues be brought back to Council, as well as for the public's benefit, at the next meeting.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to postpone this item until the next regular meeting at which time to receive a basic map and memo as discussed.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- e) Consideration and possible action to approve application from Timothy Smith for a Liquor License Permanent Extension of Premises for Doreen's Backstreet Bar & Grill, located at 2879 N. Arizona Trail in Chino Valley, with the condition that no alcohol be served in the extension area until appropriate fencing and signage, as determined by the Police Department, is installed and the site has passed inspection by Town personnel. (Jami Lewis, Town Clerk)

Ms. Lewis reported that:

- Pursuant to state law, any change to include additional space to a liquor-licensed premises required approval by the State Liquor Board, as well as a recommendation from Council.
- Doreen's held a Series 6 Bar Liquor License and had applied with the State to extend their licensed premises an additional 2,240 square feet to accommodate events.
- The Police Department reviewed the application and recommended approval, conditioned upon the applicant installing appropriate fencing and signage. The Planning Department reviewed the application and recommended approval with no further comments.
- As the Town's liquor licensing processes had recently moved from the Town Clerk's

office to Development Services, and as this application was unique in that staff was making a recommendation with conditions, former Zoning Enforcement Officer Mike Bovée, Police Chief Chuck Wynn, and the town clerk worked together on this process.

- Mr. Bovée and Chief Wynn will keep in touch with Doreen's to ensure that no alcohol will be served in the extension area until the conditions were met, the site has passed an inspection, and staff provided notice of such passage in writing.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner to approve application from Timothy Smith for a Liquor License Permanent Extension of Premises for Doreen's Backstreet Bar & Grill, located at 2879 N. Arizona Trail in Chino Valley, with the condition that no alcohol be served in the extension area until appropriate fencing and signage is installed and the site has passed inspection by Town personnel.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

- f) Consideration and possible action to approve the October 4, 2012 Study Session minutes. (Absent: Councilmember Echols) (Jami Lewis, Town Clerk)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve the October 4, 2012 Study Session minutes.

Vote: 5 - 0 PASSED

Other: Councilmember Dean Echols (ABSTAIN)

Councilmember Linda Hatch (ABSENT)

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to adjourn the meeting at 7:46 p.m.

Vote: 6 - 0 PASSED

Other: Councilmember Linda Hatch (ABSENT)

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 8th day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of February, 2013.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **7. e.**

Meeting Date: 02/12/2013

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Action

AGENDA ITEM TITLE:

Consideration and possible action to approve the January 22, 2013 regular meeting minutes.

RECOMMENDED ACTION:

Approve the January 22, 2013 regular meeting minutes.

Attachments

January 22, 2013 minutes

DRAFT

MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**Tuesday, January 22, 2013
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 22, 2013.

Present: Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Linda Hatch; Councilmember Lon Turner

Absent: Councilmember Dean Echols

Staff Town Manager Robert Smith; General Services Director Cecilia Watts;

Present: Town Attorney Sharon Sargent-Flack; Finance Director Joe Duffy; Magistrate John Walker; Town Engineer/Public Works Director Ron Gritman; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

Attendees: Court Administrator Ronda Apolinar

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Marley called the meeting to order at 6:01 p.m.

Councilmember Croft gave the invocation; Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to

the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to speaker remarks.

Birdie Bennett, local business owner, spoke about her opposition to some Town salaries, the Town spending \$90,000 on a dog park, and forcing struggling businesses to connect to sewer.

Steve Chontos, owner of Chino Golf Range, spoke about the Town fulfilling an agreement made in 2000 to extend utilities to Windy Valley Plaza. Mayor Marley asked the town manager to look into the matter.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

Mayor Marley had nothing to report.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

Vice-Mayor Tenney and Councilmember Turner reported on an upcoming Yavapai County Water Advisory Committee retreat.

Councilmember Best reported on the progress of the Food Bank building and grassroots efforts to rebuild the skate park.

Mayor Marley reported on: a technical issue that resulted in the utility rate increase public hearing being rescheduled; a joint study session on January 31 with the Planning and Zoning Commission to review the General Plan update status; and the deadline for councilmembers to file their annual Financial Disclosure statements. He then read the Mayor's report, which pertained to utility rate increases.

- a)** Quarterly update on Municipal Court operations by Town Magistrate, John Walker.

Judge Walker reported that:

- The Court was now fully staffed, case filings were consistent with the first three quarters, petitions regarding harassment had increased, and requests for extension of time to pay fines due to financial hardship had increased.
- Upcoming goals were to update the Court's policy and procedure manual, develop standard operating procedures, update performance evaluations for Court personnel using the Town's pending evaluation model, and seek vendors for online payments.
- If an unresolvable conflict occurred between a Town policy and a Court policy, he would follow the Supreme Court mandate.

- b)** Report regarding the Town's Home Rule community outreach plan. (Jami Lewis, Town Clerk)

Ms. Lewis reported that:

- Staff was providing outreach through Council meetings, public hearings, Town staff and department meetings, Chino Valley Review and other media, Town website, Channel 13 bulletin board, Talk of the Town radio, Town facility literature racks, presentations to civic organizations and other groups, mailings, and the candidate forum.
- Informational materials included a brochure, PowerPoint presentations, a mailing flyer, news releases, Frequently Asked Questions publication, and voter information pamphlet.
- All of these materials and activities were scheduled from September 2012 through March 2013.

Public Comment:

Birdie Bennett, resident, asked how the Town allocated and limited funds for certain projects. Mayor Marley and Mr. Smith stated that some of that information was contained in the monthly financial reports. Also, the Town was required to pass a balanced budget, and in the past had used contingency and reserve funds to make up deficits. Staff was working actively to reduce use of those funds in day to day operations.

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to accept Consent Agenda items 6a and 6b.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- a) Consideration and possible action to approve November 13, 2012 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the August 14, 2012 amended Regular Meeting minutes with a correction to Item 3 Call to the Public. (Jami Lewis, Town Clerk)

7) **ACTION ITEMS**

- a) *Continued from January 8, 2013:* Consideration and possible action to direct staff to proceed with the initial steps to establish an industrial park at Old Home Manor as presented at the Council study session on September 6, 2012. (Robert Smith, Town Manager)

Mr. Smith reported that:

- Since September 6, 2012, staff had begun non-substantive research of Old Home Manor's history and they now desired Council's approval to determine the cost of a survey and further research utilities.
- Staff was proposing to include five forty-acre sections surrounding the sewer plant, and leaving 40 acres for the plant. Council could limit the boundaries to 120 acres, but industrial uses might need more land, and they could modify the zoning in the future if all 200 acres were not used.
- No costs will be incurred until Council approved an expenditure for the survey, and the zoning research was already done.
- Proposed uses would range from Commercial Light to Industrial. Staff intended to gather input from staff, the economic development sector, and the public, and incorporate that into a final proposal.

Mr. Grittman added that some apparent sheet flows across one parcel was from past agricultural uses. There were no known true sheet flow areas, but each site would be engineered separately.

Council discussion: Council generally supported the proposal with a feasibility reassessment at the end of staff's research.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to direct staff to proceed with the initial steps outlined in tonight's meeting to establish an industrial park at Old Home Manor.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- b) Presentation of the rough conceptual design for the Community Center Park expansion as discussed on January 8, 2013. (Ron Grittman, Town Engineer)

Mr. Gritman presented the conceptual plan and reported that:

- On January 8, 2013, staff presented a proposal to allow Public Works and Utilities crews to improve the northerly section of the Community Center adjacent to Perkinsville Road by creating a useable walking area, detention pond, and off-leash dog park, and also extending potable and irrigation water. This expansion will not preclude future construction of the amphitheater and gazebo as depicted in the Community Center Master Plan. Council approved the proposal and asked staff to return to this meeting with a sketch of the proposed improvements.
- Staff may use up to \$90,000 of Parks Impact Fees to pay for equipment rental, materials, 4" PVC pipe, decomposed granite, edging, and decorative rock. Trees and shrubs will only be purchased with these funds pending availability after construction of the major improvements.
- Contrary to public comment earlier, the dog park was estimated to cost about \$2,000. \$90,000 was the maximum amount for all the improvements. Thus far, local businesses had contacted staff about donating materials and funding a paracourse. Landscaping would be low maintenance and the biggest cost would be the water bill. To date, staff had spent \$6,000 on an irrigation drip system and \$2,000 on the design.
- No lighting or electrical conduits were planned at this time; he hoped to fund lighting through donations. If Council desired to reduce the initial amount of trees, staff could use the remaining funds for conduits.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to authorize staff to proceed with development of the northeast corner of the Community Center as outlined in the meeting.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- c) Consideration and possible action to approve Monthly Financial Report for month ended December 31, 2012. (Joe Duffy, Finance Director)

Mr. Duffy reported that:

- General Fund: At 50% of the fiscal year, revenues were at 50% and were up 22.7% over last year, mostly due to the tower lease. Overall expenses were at 45%.
- Revenues: The Town was seeing some growth in all major revenues, except for Vehicle License Tax and sewer service fees.
- Expenditures: Highway User, water, and sewer funds were all below budget. The Capital Improvement Fund, excluding transfers, expended \$130,000 on the Road 2 North box culvert, leaving a fund balance of \$174,000. Most of the 1% sales tax was being spent, and thus far, only a little of the fund balance had been used. Departments were holding the line

on expenditures.

- Staff had begun preparations for next year's budget; all departments were to help prepare the new programmatic budget.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- d) Consideration and possible action to adopt Resolution No. 13-1004, authorizing the Town to enter into the Strategic Alliance for Volume Expenditures (SAVE) Cooperative Purchasing Agreement. The Town anticipates cost savings on products and services acquired under the cooperative purchasing agreement. (Joe Duffy, Finance Director)

Mr. Duffy reported that:

- Cooperative purchasing agreements had been shown to improve competition, quality, services, and provide lower prices for materials and services.
- The Strategic Alliance for Volume Expenditures (SAVE) was formed to establish cooperative purchasing agreements between member public agencies in the State of Arizona; it was currently serving a lot of agencies in the state.
- Joining SAVE will allow the Town to purchase goods and services that had been competitively bid by other member agencies, save time in the procurement process, and take advantage of quantity discounts.
- Joining SAVE will not incur any additional fees.

Town Attorney Sharon Sargent-Flack stated that although she wanted staff to be aware of some specific provisions in the agreement, it was a fairly standard boilerplate, and she had no objections.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adopt Resolution No. 13-1004, authorizing the Town to enter into the Strategic Alliance for Volume Expenditures (SAVE) Cooperative Purchasing Agreement.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- e) Consideration and possible action to adopt Ordinance No. 13-763 amending Chapter 10 of the Chino Valley Town Code, by adding a provision relating to authority to correct scrivener's errors. (Jami Lewis, Town Clerk)

Mrs. Lewis reported that:

- Scrivener's errors were common errors in misspelling, grammar, numbering, cross-referencing, and style made in documents that did not affect the document in a substantive way, but should be corrected. Pursuant to Robert's Rules of Order and other general practices, any changes to documents such as ordinances, resolutions, and minutes adopted by a public body must be subsequently re-adopted.
- Because scrivener's errors were non-substantive, staff proposed that Council adopt an ordinance to clarify that such errors could be corrected at the staff level by the town attorney and town clerk to help to avoid complications arising from deadlines for adoption, publication, or the like. This will allow for prompt correction of the Town Code, Unified Development Ordinance, and ordinances, resolutions, and minutes, without the need to take unnecessary Council and staff time to make a formal correction.
- Per the proposed Ordinance, staff will inform the public body and public through the formal agenda process by placing the matter on the agenda as a staff report or similar type of report that will require no Council action.

Town Manager Robert Smith added that it might be helpful to include staff's ability to correct errors of fact, as long as there was clear documentable evidence to include the correction.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adopt Ordinance No. 13-763 amending Chapter 10 of the Chino Valley Town Code, by adding new Section 10.20 "Authority to Correct Scrivener's Errors."

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- f) Consideration and possible action to authorize the Mayor to sign a letter on behalf of the Council to the State Legislature with regard to the recommendations made in the final report by the Governor's TPT Simplification Task Force. (Mayor Marley)

Acronyms used in this item:

DOR (Department of Revenue)
TPT (Transaction Privilege Tax)

Mayor Marley reported that:

- The Mayor and Vice-Mayor desired to discuss the possibility of the Town sending a letter to the State Legislature strongly opposing three of the recommendations made in the Governor's TPT Simplification Task Force's final report.
- The three recommendations in question were to require state administration

of sales tax for all municipalities, require the DOR to conduct all sales tax audits, and replace the construction sales tax with a retail sales tax at the point-of-sale of construction materials.

- The League of Arizona Cities and Towns did not believe DOR had sufficient resources to meet the first two recommendations, and the second one would eliminate private jobs in rural areas. The third recommendation would shift money away from the impacts of growth and lead to huge budget losses for small or rural municipalities.
- As Governor Brewer indicated that she wanted to send the entire report to the legislature, he recommended that Council sign and send a letter of opposition.

Council discussion: Council mostly opposed the construction sales tax recommendation, as they believed it would adversely affect many municipalities, as well as the state as a whole.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to authorize the Town Council to sign a letter on behalf of the Council to the State Legislature with regard to the recommendations made in the final report by the Governor's TPT Simplification Task Force.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

- g)** Consideration and possible action to approve the December 6, 2012 Study Session minutes. (Absent: Councilmember Turner) (Jami Lewis, Town Clerk)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve the December 6, 2012 Study Session minutes.

Vote: 5 - 0

Other: Councilmember Dean Echols (ABSENT)
Councilmember Lon Turner (ABSTAIN)

- h)** Consideration and possible action to approve the December 11, 2012 Regular Meeting minutes. (Absent: Councilmember Croft) (Jami Lewis, Town Clerk)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve the December 11, 2012 Regular Meeting minutes.

Vote: 5 - 0

Other: Councilmember Darryl Croft (ABSTAIN)
Councilmember Dean Echols (ABSENT)

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adjourn the meeting at 7:57 p.m.

Vote: 6 - 0

Other: Councilmember Dean Echols (ABSENT)

ATTEST:

Chris Marley, Mayor

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 22nd day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of February, 2013.

Jami C. Lewis, Town Clerk